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OXFORD PAMPHLETS

1914–1915

SELECT TREATIES AND DOCUMENTS

TO ILLUSTRATE THE DEVELOPMENT OF THE MODERN EUROPEAN STATES-SYSTEM

BY

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PREFACE

THIS work owes its origin to the suggestion of Mr. H. W. C. Davis, Fellow and Tutor of Balliol College, who has given every assistance in carrying it out. It aims at showing the development of international relations among the Powers of Europe up to the year 1914. It does not deal with questions of the Law of Nations arising out of the conduct of war, such as are contained in the Hague Conventions.

In the reprinting of the treaties the articles dealing with purely technical or ephemeral matters have been omitted. Most of the texts may be found in full in the great work of Sir Edward Hertslet, *The Map of Europe by Treaty* (quoted in this work as 'Hertslet'), or in the classical collection of G. F. von Martens, the *Nouveau Recueil général de traités*, as continued by Stoerk and by Triepel.

CONTENTS

INTRODUCTION . . . . . PAGE xi

TRIPLE ENTENTE.

Agreement between Great Britain and France respecting Egypt and Morocco (London), April 8, 1904 . 1

Secret Articles 4

Agreement between Great Britain and France respecting Newfoundland and Senegambia (London), April 8, 1904 5

Agreement between Great Britain and Russia respecting China (St. Petersburg), April 16/28, 1899 . . 8

Agreement between Great Britain and Russia respecting Persia, Afghanistan, and Thibet (St. Petersburg), August 31, 1907 9

Question of Armed Co-operation between Great Britain and France, 1907–14.

Sir Edward Grey to M. Cambon, November 22, 1912 . 15

M. Cambon to Sir Edward Grey, November 23, 1912 . 16

Sir Edward Grey to Sir F. Bertie, August 2, 1914 . . 17

Agreement between Great Britain, France, and Russia respecting the War (London), September 5, 1914 19

FOUNDATIONS OF THE TRIPLE ALLIANCE.

Treaty of Alliance between Germany and Austria (Vienna), October 7, 1879 20

Character of Triple Alliance: Statement of Marquis di San Giuliano, August 1, 1914 23

ENGAGEMENTS OF THE MEMBERS OF THE TRIPLE ENTENTE.

Great Britain and Japan.

Agreement between the United Kingdom and Japan (London), August 12, 1905 24

Rescript by the Emperor of Japan, August 22, 1914 . 26

PAGE

RUSSIA AND JAPAN.

Treaty of Peace between Japan and Russia (Portsmouth), August 23/September 5, 1905 28

Agreement between Russia and Japan respecting China (St. Petersburg), July 17/30, 1907 32

Agreement between Russia and Japan respecting the *status quo* in Manchuria (St. Petersburg), June 21/July 4, 1910 33

GREAT BRITAIN AND PORTUGAL.

Treaty of Alliance between Great Britain and Portugal (Whitehall), June 23, 1661 34

DOCUMENTS RELATING TO INTERNATIONAL GUARANTEES.

AGREEMENTS RESPECTING BELGIUM.

Treaty between Great Britain, Austria, France, Prussia, and Russia, on the one part, and the Netherlands on the other (London), April 19, 1839 37

Treaty between Great Britain and Prussia, relative to the Independence and Neutrality of Belgium (London), August 9, 1870 39

AGREEMENTS RESPECTING LUXEMBURG.

Treaty between Great Britain, Austria, Belgium, France, Italy, the Netherlands, Prussia, and Russia, relative to the Grand Duchy of Luxemburg, and the Duchy of Limburg (London), May 11, 1867 41

Exchange of views between Prussia and Great Britain respecting the observation of the Neutrality of Luxemburg, December 1870–February 1871.

Count Bismarck to Count Bernstorff, December 3, 1870 44

Count Bismarck to Count Bernstorff, January 20, 1871 47

Earl Granville to Lord A. Loftus, February 8, 1871 . 47

AGREEMENTS RESPECTING SWITZERLAND.

Act signed by Austria, France, Great Britain, Prussia, and Russia, for the acknowledgement and guarantee of the Perpetual Neutrality of Switzerland and the Inviolability of its Territory (Paris), November 20, 1815 . . . 48

PAGE

Military Convention between France and Switzerland, for the Reception and Entrance of a French Army into Switzerland (Verrières), February 1, 1871 . . . 50

AGREEMENTS RELATING TO THE NORTH OF EUROPE.

Agreement between Germany, Denmark, Russia, and Sweden, for the *status quo* in the Baltic (St. Petersburg), April 23, 1908 51

Declaration by the Governments of Great Britain, Denmark, France, Germany, the Netherlands, and Sweden for the *status quo* in the North Sea (Berlin), April 23, 1908 52

AGREEMENTS RESPECTING POLAND.

Treaty between Great Britain, Austria, France, Portugal, Prussia, Russia, Spain, and Sweden (Vienna), June 9, 1815 54

Convention between Austria, Prussia, and Russia (Cracow), November 6, 1846 56

British Protest against Annexation of Cracow to Austria, November 23, 1846 60

Declaration of Russia respecting Poland, August 15, 1914 65

AGREEMENTS RELATING TO THE DANISH DUCHIES.

Treaty between Great Britain, Austria, France, Prussia, Russia, Sweden, and Norway, on the one part, and Denmark on the other part, relative to the Succession to the Crown of Denmark (London), May 8, 1852 . . 66

Note addressed by Earl Russell to Sir A. Buchanan, December 17, 1863 68

Note addressed by M. de Bismarck to Count Bernstorff; communicated to Earl Russell, February 4, 1864 . . 70

Treaty between Austria, Prussia, and Denmark (Vienna), October 30, 1864 70

Convention between Austria and Prussia (Gastein), August 14, 1865 71

British Circular relative to the Danish Duchies, September 14, 1865 74

Treaty between Austria and Prussia (Prague), August 23 1866 76

PAGE

AGREEMENTS RESPECTING TURKEY.

Treaty between Great Britain, Austria, France, Germany, Italy, Russia, and Turkey (London), March 13, 1871 . 78

Convention of Defensive Alliance between Great Britain and Turkey (Constantinople), June 4, 1878 . . . 78

Treaty between Great Britain, Austria-Hungary, France, Germany, Italy, Russia, and Turkey (Berlin), July 13, 1878 79

Denunciation by Austria-Hungary of Article XXV of the Treaty of Berlin (Vienna), October 3, 1908 . . . 83

Note of Turkey in reply to the Austro-Hungarian Note relative to the Annexation of Bosnia and Herzegovina. Communicated to the Powers signatory of the Treaty of Berlin, July 13, 1878, on October 9, 1908 . . . 86

DOCUMENTS RELATING TO EGYPT.

SELF-DENYING PROTOCOL SIGNED BY REPRESENTATIVES OF GREAT BRITAIN, AUSTRIA-HUNGARY, FRANCE, GERMANY, ITALY, AND RUSSIA (Therapia), June 25, 1882 87

CONVENTION BETWEEN GREAT BRITAIN AND TURKEY (Constantinople), October 24, 1885 88

CONVENTION BETWEEN GREAT BRITAIN, GERMANY, AUSTRIA-HUNGARY, FRANCE, SPAIN, ITALY, THE NETHERLANDS, RUSSIA, TURKEY (Constantinople), October 29, 1888 89

HAY-PAUNCEFOTE TREATY.

Convention between Great Britain and the United States supplementary to the Convention of April 19, 1850, relative to the Establishment of a Communication by Ship-canal between the Atlantic and the Pacific Oceans (Washington), February 5, 1900 93

DECLARATION BY GREAT BRITAIN OF A PROTECTORATE OVER EGYPT, December 19, 1914. LETTER ADDRESSED BY THE ACTING HIGH COMMISSIONER TO PRINCE HUSSEIN 95

PAGE

DOCUMENTS RELATING TO TERRITORIAL CESSIONS.

Message from the King of Prussia to the Landtag, for their Sanction to the Annexation of Hanover, Hesse-Cassel, Nassau, and Frankfort, to Prussia (Berlin), August 16, 1866 99

Treaty between Austria and Italy (Vienna), October 3, 1866 100

Treaty between France and Germany (Frankfort), May 10, 1871 104

Agreement between Great Britain and Germany (Berlin), July 1, 1890 112

Great Britain and the Boers: Terms of Surrender (Vereeniging), May 28, 1902 114

Treaty of Peace between Italy and Turkey (Lausanne), October 18, 1912 116

Treaty of Peace between Greece, Bulgaria, Montenegro, Serbia on the one part, and Turkey on the other part (London), May 17–30, 1913 120

Treaty of Peace between Roumania, Greece, Montenegro, Serbia, and Bulgaria (Bucharest), July 28–August 10, 1913 121

CHRONOLOGICAL INDEX 125

INTRODUCTION

THE General Act of the Congress of Vienna[1] (June 9, 1815), which came at the end of the great Napoleonic Wars, resettled the map of Europe on lines which, it was hoped, would provide a lasting peace. The history of the Congress had marked a stage in the growth of a sense of international obligations based upon contracts, and in the further development of the 'States-system' of Europe, which the foreign policy of the French Revolutionary Governments had done so much to break up.

The hundred years following have brought many changes in the frontiers laid down by the Congress of Vienna. These changes were sometimes the result of mere force, sometimes of mutual arrangement between the Powers who were responsible for the Act of the Congress. The various changes in the Act, and the principles on which they were based, are registered in the great treaties of the nineteenth century. International affairs in Europe have thus been to a large extent a commentary upon the work of the Congress of Vienna. But while the territorial concerns of Europe formed the main business of that body, the later history of the continental Powers has shown an increasing interest in colonial affairs. These have reacted on the relations of the Powers towards each other in Europe, and have thus led to more modifications in the Treaty of Vienna. Nevertheless, it is

[1] Hertslet, i, No. 27.

territorial affairs in Europe, and not in the other continents, which have been the dominating concern of the Great Powers.

Anglo-Portuguese Alliance.

Portugal was one of the few European States whose territories were not much affected by the Treaty of Vienna. This kingdom participated as a Power in the Congress of Vienna, but its territories had already been settled by a treaty of the previous year (Paris, May 30, 1814).

The alliance between Great Britain and Portugal is the oldest in our history. It has its roots far back in the fourteenth century, for in 1353 there was a commercial treaty between the Crown of Portugal and the merchants of London. But the connexion began still earlier, for in 1147 English Crusaders had played a prominent part in the capture of Lisbon from the Moors by the heroic King Alphonso I, an event which marks the real and final establishment of Portugal as an independent Power.

During the period of the great discoveries in the early sixteenth century, the energy of the Portuguese won a vast empire in India, Africa, and South America. By acquiring a portion of this great empire at the renewal of the Anglo-Portuguese alliance in 1661, we made one of the most important steps in the establishment of our own power in India. By the Treaty of Whitehall, June 23, 1661 (p. 34), previous alliances were renewed, Great Britain engaged to defend Portuguese independence and territorial integrity, while Portugal ceded Bombay and Tangier. Charles II married the Princess Catherine of Portugal. Tangier was evacuated in 1684, but Bombay has remained to become one of the greatest and most secure parts of our Indian dominions.

The alliance of Great Britain and Portugal endured through the vicissitudes of the eighteenth century. The long and honourable partnership which followed between Great Britain and Portugal during the Napoleonic Wars is one of the brightest pages in the history of the two countries. For the special objects comprehended in the Peninsular War a new treaty of alliance was concluded at Rio de Janeiro in 1810 with the royal house of Braganza, which had been expelled by Napoleon from Portugal. The objects of this treaty being happily attained, a new treaty was made in January 1815 renewing the ancient treaties of alliance, friendship, and guarantee.

The subsequent history of Portugal, its civil wars and revolutions, have not affected this ancient alliance. There have been disputes over colonial questions, and in 1890 Great Britain even presented an ultimatum. But the alliance stood the strain. The expulsion of the royal line of Coburg (closely related to the English) and the establishment of the Republic in 1910 made no difference. The original treaty of Whitehall and its subsequent renewals remain in force. Great Britain is obliged to defend Portugal; Portugal is not obliged to defend us. But she has honourably fulfilled the obligation of friendship, which is prized by Great Britain because of its ancient associations and present sympathy and encouragement.

Neutrality of Switzerland.

Switzerland in 1798 had been organized, under the influence of the French Directory, as the Helvetic Republic. It became practically a dependency of France, and was used by Napoleon as if it was part of his own dominions. After the fall of the Emperor, the Powers who concluded the First Peace of Paris (May 30, 1814) decreed by Article VI that 'Switzerland,

Independent, shall continue to govern herself '.[1] The Congress of Vienna settled the frontiers of the Swiss Confederation, and confirmed the declaration contained in Article VI of the First Treaty of Paris. The Second Peace of Paris, November 20, 1815 (p. 48), further defined the international position of the Confederation. By this Act, Switzerland was declared to be perpetually neutral, and the inviolability of her territories was guaranteed by the protecting Powers. No obligation was imposed upon Switzerland to defend her own neutrality, but she has organized her strength and made clear her determination to do so.

Since 1815 the position of Switzerland among the nations of Europe has been satisfactory, and has been marked by very few difficulties. The Congress of Vienna had recognized Neufchâtel as a principality of the King of Prussia, but within the Confederation of Switzerland. The position of Neufchâtel as the only non-republican member of the Swiss Confederation was rather anomalous, and in the critical year 1848 a bloodless revolution took place there. But the establishment of a republican constitution under the prince was difficult to maintain. At last, in 1857, a treaty was entered into by Great Britain, Austria, France, Prussia, Russia, and the Swiss Confederation, by which King Frederick William IV of Prussia renounced his sovereignty over Neufchâtel.[2]

In 1860, events took place which the Swiss Confederation regarded as a violation of their neutrality. The kingdom of Sardinia, as a return for the support of Napoleon III, agreed to cede Savoy and Nice to France.[3] The former territory included the provinces of Chablais and Faucigny, which, although belonging to Sardinia,

[1] Hertslet, i, No. 1.
[2] Hertslet, ii, No. 281.
[3] Treaty of Turin, March 24, 1860; Hertslet, ii, No. 313.

were included in the neutrality of Switzerland by Article XCII of the Treaty of Vienna. Both before and after the cession took place, the Swiss Government made specific protests.[1] Both Sardinia and France showed complete readiness to maintain the neutrality of the ceded portions, and a condition to that effect was inserted by Sardinia and accepted by France, in the Treaty of Turin (Article II). The Powers who had signed the Treaty of Vienna evidently considered that this stipulation was a satisfactory recognition of the public law of Europe, and accordingly the protests of Switzerland were disregarded.

In the Franco-German War of 1870–1 a more critical situation arose. One of the last great efforts of the French Government of National Defence was made when Gambetta sent General Bourbaki with the 'Army of the East' to relieve Belfort and to cut the German communications with the Upper Rhine. Bourbaki in the middle of January made his great attempt to raise the siege of Belfort by attacking the German army which was defending lines on the River Lisaine. He failed, and was compelled to retreat towards the Swiss frontier. The Swiss Government was determined to maintain its neutrality, and had called out the national army, under General Hans Herzog. If the French army was going to save itself from the Germans by entering Switzerland, it would not be allowed to do so and at the same time remain in being as a fighting force. Accordingly, General Clinchant, who had taken over the command after Bourbaki's attempt to commit suicide, signed the Convention of Verrières, on February 1, 1871 (p. 50). The French army was then led across the Swiss frontier at Pontarlier and interned.

[1] Ibid. ii, Nos. 307, 315.

Neutrality of Belgium.

The Treaty of Campo Formio in 1797 separated Belgium from the connexion with Austria (a connexion which had existed since 1714), and incorporated it in France. But by Article IV of the Treaty of Paris (May 30, 1814), France was reduced to 'its limits entire, as they existed on the 1st of January 1792'.[1] Belgium, however, was not given back to the Austrian monarchy, but by an Act of June 14, 1814,[2] was joined in union with Holland under the sovereignty of the Prince Sovereign of the Netherlands. This arrangement was confirmed by Article LXV of the General Act of the Congress of Vienna, and the Prince Sovereign was thereby recognized as King of the Netherlands.[3]

The union thus formed was never popular in Belgium, and during the next fifteen years there were many causes of friction at work, causes political, religious, economic, and racial. The country was ready for a struggle when the news of the Revolution of July 1830 reached Brussels and created a profound impression. On August 25, riots broke out in the city, and were speedily followed by similar movements in all the other large Belgian towns. By the end of September a provisional Government had been set up by the Belgian national party, and the Dutch power disappeared from every town except Antwerp.

To prevent the continuance of the civil war in which the feelings of both sides were becoming much inflamed, a Conference (suggested by France) of the British, French, Austrian, Prussian, and Russian Governments met at London on November 4, 1830. While it was deliberating a Belgian National Congress met at Brussels

[1] Hertslet, i, No. 1.
[2] Protocol of the Congress of Vienna. Ibid., No. 4.
[3] June 9, 1815; Hertslet, No. 27.

(November 10) and proclaimed the independence of the country, under a 'constitutional and representative monarchy', with the perpetual exclusion of the reigning House of Orange-Nassau. In December the Powers recognized the independence of Belgium under its Provisional Government. Some difficulty was found by the Belgians in selecting a monarch suitable to themselves and agreeable to the Great Powers, but at last, in April 1831, the crown was offered to Prince Leopold, of the house of Saxe-Coburg, who accepted it on condition that the Powers would use their influence to bring about a settlement with Holland.

The Dutch Government naturally objected to this solution of the difficulty, and an active campaign was undertaken by the Prince of Orange, which was in the end rendered inoperative by the intervention of a French army. On October 24, the Powers in conference at London issued a Protocol of 24 articles, which they considered to form a just settlement. On November 15, this Protocol was embodied in the well-known treaty between Great Britain, Austria, France, Prussia, Russia, and the new kingdom of Belgium.[1] Holland was not a party to the treaty, and refused to recognize it.

Neither were the Belgians on their part pleased. In dividing the two countries, the treaty followed natural and historical lines, except with regard to Luxemburg. This province had formed part of the Austrian Netherlands (Belgium) in the eighteenth century. The Congress of Vienna in 1815 had erected it into a Grand Duchy under the King of the Netherlands. It was now divided into two parts: the western part was given to Belgium, the eastern, with the city of Luxemburg itself, was left as the Grand Duchy to the King of the Netherlands.

[1] London, November 15, 1831; Hertslet, ii, No. 153.

In return for the loss of part of Luxemburg, the Dutch were secured in an important portion of Limburg. This province had in the eighteenth century been held in separate parts: the southern portion, containing the city of Limburg, had been part of the 'Austrian Netherlands'. The northern portion, with the fortress of Maastricht, on the left bank of the Meuse, had belonged to Holland. The Treaty of 1831 kept Limburg divided, though not quite in the same way. Of the old Dutch enclaves the parts on the *left* of the Meuse were given to Belgium, except the fortress and district of Maastricht, which was left with the Dutch. On the other hand, all Limburg to the east of the Meuse was given to the Dutch, and in addition a considerable piece on the left bank, to the north of the old enclaves, between Wessem and Stevenswaardt.

But the most striking feature in the territorial arrangements in this treaty is that the extreme mouth of the Scheldt was left in the Dutch power, although the rest of the river was Belgian as far as the French frontier. Yet this was perfectly natural and just on historical grounds. The mouth or estuary of the Scheldt, up to but not including the fortress of Lillo, had, in the early heroic days of the Dutch Republic, been part of 'the Generality', that is, the federal as distinct from the provincial government of the United Netherlands. The Peace of Westphalia or Munster in 1648, in that part of it which defined the relations of Spain and the Dutch, had recognized the Dutch power on either side of the Scheldt estuary, and had, moreover, declared that the river was 'closed from the side of the Estates'. This gave the Estates-General (or Dutch Government) full control of the estuary: no ships could pass, or commerce of any kind take place, through the estuary

to Antwerp. The Dutch control and the closure of the Scheldt were reconfirmed by one of the treaties arising out of the Peace of Utrecht. By the treaty made between the Emperor Charles VI on the one part and Great Britain and the Estates-General on the other part, on November 15, 1715, it was declared that the Spanish Netherlands should be placed under the Austrian dominion, but that 'the limits of the States-General in Flanders shall hereafter begin at the sea between Blankenberg and Heyst, at the place where there are no Downs'. From there the frontier ran east and south to a point on the Scheldt near where stood the fortress of Lillo (which for a time was left in Dutch hands), eight miles north of Antwerp. Subsequent rectifications changed this frontier slightly, but since 1814 the Dutch power on the lower Scheldt has been unchanged (except that the river was declared open to commerce in 1814). The province of Zeeland included the old district on the south and west of the Scheldt, and at the separation of 1831 this, of course, remained, as it had been, Dutch.

On April 19, 1839, Holland joined the Powers in making a definite treaty (p. 37), embodying the territorial provisions of the Treaty of 1831. By Article II, the 'Annex' to the Treaty of 1839, containing the territorial provisions and the condition concerning Belgium's neutrality, was 'placed under the guarantee of their said Majesties' (i.e. the Five Powers—Great Britain, Austria, France, Prussia, and Russia). This guarantee was meant to be 'individual', as contrasted with 'collective' (as in the case of Luxemburg, p. 42). Referring to the guarantee in the Treaty of 1831 and the similar one in the Treaty of 1839, the Earl of Clarendon said: 'the Powers who were parties to that Conference

of 1831 bound themselves to uphold, not collectively but severally and individually, the integrity of the treaty'. And again in the same speech, he declared: 'I look upon our guarantee in the case of Belgium as an individual guarantee'.[1] This was the accepted view in Europe.

Besides Article II of the main treaty, the most important article, from the point of view of subsequent history, is No. VII (of the 'Annex') which declares that Belgium 'shall form an Independent and perpetually neutral State. It shall be bound to observe such neutrality towards all other States'. The Powers who concluded the treaty did not only thereby bind themselves to observe Belgium's neutrality, and by all possible measures to maintain it, but they also imposed upon Belgium the obligation of herself 'observing' her neutrality. Such an obligation, which also lies with the neutral State of Luxemburg, involved in the case of a populous and wealthy, though small, State like Belgium, an active determination and preparation to defend its neutrality.

During the war of 1870 between France and Germany, it was feared that Belgium might again become the cockpit of Europe, by reason of the easy road which lay through it between the two belligerent countries. Great Britain, as one of the parties to the Treaty of 1839, specially interested in keeping Belgium neutral, concluded two treaties, specifically for the purposes of the Franco-German War. The neutrality of Belgium had since the seventeenth century been an object of European statesmen, *not* to prevent aggression from Germany, but to prevent aggression on the part of France, which at any rate until 1815 was the most

[1] Hansard, June 20, 1867.

military and aggressive State in Europe. Accordingly, the first of the two treaties made in 1870 with regard to Belgian neutrality by Mr. Gladstone's Government was concluded with Prussia. This treaty arranged for an alliance, and for military and naval co-operation between Prussia and Great Britain, if France should violate Belgium's neutrality. The second treaty, concluded two days later, was with France, and arranged for a similar contingent alliance and military and naval co-operation, in case the German forces should enter Belgium. The contingent alliance of Prussia and Great Britain in order to prevent any violation of Belgian neutrality on the part of France is a close parallel to the alliance of 1914 between France and Britain to deal with such a violation by Germany. The promised co-operation of Britain with the continental Powers in 1870 and in 1914 is equally the consequence of these very Powers having themselves been the authors of the Treaty of 1839. The only Power signatory to that treaty which took no part in the war of 1914 was the Netherlands, which was definitely excluded in the treaty from being a guarantor of it.[1] It has already been mentioned that, by Article VII of the 'Annex' to the Treaty of 1839, Belgium was 'bound to observe' her neutrality 'towards all other States'. But the only way in which Belgium could be said really to be observing her own neutrality was if she allowed no foreign army to have a way through. For this purpose she must have an army and must defend her fortresses. There is only one point which by the Treaty of 1839 she cannot and must not fortify. This is the port of Antwerp, which by Article XIV was declared to be,

[1] Article II of the Treaty of 1839 mentions the guarantee of the five Great Powers only.

and to continue to be, simply a port of commerce. The Treaty of Paris (May 30, 1814) had not restored the old system of closing the Scheldt above the Dutch frontier, to sea-borne commerce. But while declaring the Scheldt open to commerce, it had enacted further that this openness should not be jeopardized by the establishment of port fortifications. The Treaty of 1839 confirmed this stipulation, as Antwerp was considered sufficiently protected from the side of the sea by the fact that the Dutch held the mouth of the Scheldt and were one of the parties to that treaty.

Agreements concerning Poland.

The kingdom of Poland, including the Grand Duchy of Lithuania, was in its great days in the seventeenth century a country of enormous extent, reaching from the frontiers of Pomerania and Silesia on the west to the Dnieper river, and almost to the Crimea on the east and south. Though always growing feebler in power of cohesion, its extent had not very greatly diminished in 1772, when the Empress Catherine II of Russia, Joseph II of Austria, and Frederick the Great of Prussia, undertook the 'First Partition'. This and the two subsequent Partitions of 1793 and 1795 did away with Poland as a political unit on the map of Europe.

After Napoleon had crushed Prussia by the battle of Jena, in 1806, and had made peace with Russia at Tilsit in 1807, he created the Grand Duchy of Warsaw out of Warsaw and district, which had been held by Prussia since 1795, and out of 'Prussian Poland', which the Hohenzollerns had acquired at the Partition of 1772. The Grand Duchy was put under the King Frederick Augustus of Saxony, but it was practically a province of the Napoleonic Empire.

With the fall of the Napoleonic Empire in 1814, and the readjustment of State boundaries at the

Congress of Vienna the Grand Duchy of Warsaw disappeared. The liberal Tsar Alexander I had hopes of reuniting the parts of old Poland held by Prussia and Austria as a restored kingdom under his own rule. But it was impossible then to bring about any territorial rearrangement which would satisfy Austria and Prussia for the loss of their Polish provinces. Accordingly, Poland was left partitioned between Russia, Prussia, and Austria, except that the city of Cracow, in the Austrian province of Galicia, was, by Article VI of the Congress of Vienna Act, made into an independent free city, under the protection of Austria, Russia, and Prussia. Article I of the same Act also stipulated that the Poles under foreign rule should be given 'a Representation and National Institutions' (p. 54).

Russia went furthest in carrying out this latter article, for Russian Poland (Lithuania) was made into the 'Congress Kingdom', under the Tsar as sovereign, with a constitution of its own. This constitution continued to exist till the outbreak of the Polish Rebellion in 1830, an unfortunate movement stimulated by the successful revolutions in France and Belgium during that year.

The independent Republic of Cracow lasted sixteen years longer. The whole of Germany from 1830 was much affected by liberal views, which were suspiciously regarded by the Austrian and Prussian administrations. Cracow was a standing encouragement to these views, even if its inhabitants had been quite passive. Naturally, however, men of pronounced views took up their abode within its friendly walls. In 1846 a revolt took place in Galicia, and the Austrians declared that the Republic of Cracow had not maintained complete

neutrality. Accordingly, by arrangement with Prussia and Russia, on November 6, 1846 (p. 56), they annexed the city and suppressed the republic. Against this act, Great Britain (p. 60) and France issued vigorous and decided protests.

Since that time, with the exception of a futile rebellion in Russian Poland in 1863, there have been no striking events in Polish history. With the outbreak of the great European War in the beginning of August 1914, a prospect was opened up to Russia, if successful, of winning from the German Empire and from Austria their Polish provinces. The Russian Government, through the Commander-in-Chief of their field armies, the Grand Duke Nicholas, promised, on August 15, that when all the Polish provinces should be brought under the Tsar's power, they would be joined together and granted a constitution (p. 65).

Schleswig-Holstein.

The question of the Danish duchies is one of the most complex in the history of the treaty relations of the States of Europe. From 1459 the Kings of Denmark had also, in their personal capacity, been dukes of Schleswig and of Holstein. These two duchies were not quite the same in history or in race, the people of Holstein being predominantly German, those of Schleswig mainly Danish. But they desired to be kept together, and in 1460 King Christian I of Denmark issued the Charter of Ribe, which promised that Schleswig and Holstein should never be divided from each other. In addition to these duchies the Crown of Denmark acquired another in 1815, Lauenburg, which it received from Prussia in exchange for Swedish Pomerania, acquired in the previous year by Denmark. The Congress of Vienna lost an opportunity for a final solution of the question of the Danish duchies, which

it was undoubtedly strong enough to have made. It merely included Holstein (and Lauenburg) in the new 'Germanic Confederation', leaving Schleswig outside (Article LVI, June 9, 1815).

There were two matters which brought on the crisis that finally ended in the loss of the duchies to the Danish Crown. One was constitutional: the Schleswig-Holsteiners after 1815 desired to keep their separate constitution, and not to be incorporated in constitution with Denmark. The Danes, on the other hand, who were strongly national, desired one common constitution for all the dominions of the Danish Crown. The second point of difficulty was the succession: the reigning line of Denmark might become extinct, and in this case the sovereignty of Denmark would be held by heirs through females, but the duchies would, under their Salic law, go to a more distant branch in the male line.

The efforts of the liberal Danish party to establish a common constitution for all the dominions of the Danish Crown produced great disturbances in the duchies, and excited much indignation in Germany. In 1848, Prussia, acting as mandatory of the Germanic Confederation, intervened with armed force to protect the autonomy of the duchies. It was clear that the separatist tendencies there would constitute a grave danger if the reigning Danish house became extinct. The Powers accordingly stepped in, and a congress of representatives of Great Britain, Austria, France, Prussia, Russia, Sweden, Norway, and Denmark met at London in 1852. On May 8, a treaty was signed (p. 66), guaranteeing the integrity of the Danish monarchy; the undivided succession of the dominions of the Crown, in default of heirs male from

the hereditary prince (Frederick VII), was secured to Prince Christian of Schleswig-Holstein-Sonderburg-Glücksburg, a great-grandson of the former King Frederick V, through females. This treaty was an absolute guarantee of the Danish succession, and contained no proviso about the manner in which the duchies were to be governed. All the claimants to the duchies were satisfied, including Christian, Duke of Augustenburg, the nearest in succession by the Salic law, who received a financial compensation.

When Frederick VII died, in 1862, and was succeeded, in accordance with the Treaty of 1852, by Christian IX, the 'Schleswig-Holstein question' was again prominent. For the late king, while giving up the common constitution for his dominions, in so far as Holstein and Lauenburg were concerned, had retained it for Schleswig, thus constitutionally separating that duchy from Holstein. This seemed to be against not merely the Charter of Ribe, but also against a declaration of the Danish Crown in 1851, that the constituent States of the monarchy would be kept in a condition of equality, not unity. As the Danish Government had not kept to this, Austria and Prussia interfered to protect the inhabitants of the duchies in the liberties which they claimed.

The two invading Powers were not compatible yokefellows, for Austria desired only to uphold her position as the natural head of Germany, while Prussia (as Bismarck acknowledged [1]) really aimed at annexation. But on October 30, 1864, after the Danes had been defeated in the field, a treaty was arranged between the three countries, by which the King of Denmark renounced his claim to the duchies of Schleswig, Holstein,

[1] *Reflexions*, vol. ii, chap. xix (trans. 1898), p. 10, 'From the very beginning I kept annexation steadily before my eyes.'

and Lauenburg, which were ceded to Austria and Prussia jointly (p. 70).

From this point the 'Schleswig-Holstein' question ceases to be one particularly affecting Denmark, and becomes merged in the great duel between Austria and Prussia. The Danish Crown lost the duchies in direct contravention of the Treaty of 1852, which both Austria and Prussia had signed. The Danes, on their part, had not fulfilled promises made, at other times, with regard to the constitution of the duchies. This, as Earl Russell said in his instructions to the British representative (p. 68), was fair cause of complaint, and severe pressure might justly have been brought to bear on the Danes, to make them fulfil the promises which they were so obstinately and blindly contravening. But the fault of the Danes did not release Austria and Prussia from the considered decision which they, along with the other Powers, had made with regard to the integrity of Denmark in 1852. The Prussian Government, when faced with the question, had to acknowledge that the Treaty of London was a reasonable and necessary obligation, as may be seen from Bismarck's communication to Earl Russell (p. 70). A similar acknowledgement was made by the Austrian Government.[1]

Formation of the German Empire.

By the Treaty of Vienna, October 30, 1864 (p. 70), Denmark lost the duchies of Schleswig, Holstein, and Lauenburg, but they still had to be fought over between Austria and Prussia. Their joint occupation by the two great German Powers was an obviously unsatisfactory arrangement which could not be final, and was bound to lead to friction. Austria, the presiding State in the Germanic Confederation, was being rapidly

[1] Hertslet, iii, p. 1646 (Vienna, January 31, 1864).

outdistanced in prestige by Prussia, which aimed at still greater power by annexing the Danish duchies. Austria advocated the claim to Holstein of the Duke Frederick of Augustenburg, the son of the Christian Duke of Augustenburg, who had renounced his claims in 1852. Prussia opposed this. After much correspondence, neither side being apparently ready for war, the two Powers concluded the Convention of Gastein on August 14, 1865 (p. 71), by which the joint administration of the duchies was to cease, and instead they were to be divided: Holstein was to be given over entirely to the administration of Austria, Schleswig and Lauenburg to that of Prussia. Other interesting and significant points in the Convention were the proposal to establish a German federal fleet at Kiel, with the harbour to be under the command of Prussia, and the right of Prussia to make a canal through Holstein from the North Sea to the Baltic. The Convention of Gastein, as it further unfolded the Prussian design, 'only served', as Earl Russell sadly but ineffectively observed in the British Circular (p. 74), 'to increase the regret' which Her Majesty's Government had expressed over the Treaty of Vienna in the previous year. The action of Austria and Prussia in 1864, in seizing the duchies from Denmark had been declared by them to be just and necessary, because the Danish Crown had not fulfilled its promises, made at various times, with regard to the constitutional government of the duchies. The Convention of Gastein, by separating Schleswig from Holstein, was itself a violation of the condition with respect to their being kept united. The breach of this condition by the Danish Crown had been one of the grounds of Prussian and Austrian interference in 1864.

The Convention of Gastein was never meant to be lasting. Austria was to make one more effort to keep her predominance in Germany; Prussia on her side meant to get Holstein. Meanwhile Bismarck strengthened the Prussian position by an alliance, signed on April 8, 1866, with the kingdom of Italy, which was itself about to declare war on Austria, in order to gain Venetia. War between Prussia and Austria was now only a question of days. Both sides believed themselves to be adequately prepared, and on April 26 Austria sent her ultimatum to Berlin, demanding a final settlement of the Schleswig-Holstein question. Prussia was ready to settle it now by the final arbitrament of war.

The war lasted only for seven weeks, and was settled by the defeat of Austria at Königgrätz on July 3. On August 23, 1866, peace was signed between the two countries at Prague (p. 76). This treaty is the most important event in the development of modern Germany. Just before the war started, Prussia had signified her withdrawal from the Germanic Confederation, of which Austria had been president. It was universally understood by this that if Prussia was successful in the appeal to war, a new constitution, which Bismarck had already outlined, would be arranged for Germany. Accordingly, Article IV of the Treaty of Prague proclaimed that the Germanic Constitution was dissolved, and that a new organization, in which Austria should have no part, would be established north of the river Main, under the King of Prussia. The natural consequence of this Article was the establishment within six months of the North German Confederation, under the hereditary headship of the King of Prussia, and with a federal constitution which was easily converted four years later into the German Empire.

Other Articles of the Treaty of Prague showed the trend of events. Austria had no power to protect the other German States which had sided with her. Article VI stipulated that the integrity of Saxony should not be infringed. Others had already made their peace —Wurtemberg, Bavaria, Hesse-Darmstadt. But Hanover, Hesse-Cassel, Nassau, and the free city of Frankfort were annexed by Prussia by a decree issued within one month of the Treaty of Prague.

By Article V, Austria gave over to Prussia the rights she had acquired in Holstein after the war they had both waged in common against Denmark in 1864. Thus Prussia had all the Danish duchies: for by the Convention of Gastein she had got Schleswig and Lauenburg completely to herself, by giving over Holstein completely to Austria; and now by the Treaty of Prague she got Holstein too.

Article V contained the reservation that the northern districts of Schleswig should be given back to Denmark, if the inhabitants by a free vote should express a wish for this. But in 1878 Austria and Prussia agreed to rescind this clause in their treaty.

One other Article (II) is of special interest, as it discharged the obligation which Prussia had entered into with the kingdom of Italy, her ally in the war against Austria. By Article II the Emperor of Austria declared his consent to the union of the Lombardo-Venetian kingdom with the kingdom of Italy.

United Italy.

The course of events which led up to the Treaty of Vienna, October 3, 1866 (p. 100), is one which shows the House of Savoy acquiring, leaf by leaf, the 'artichoke' of Italy. Since the seventh century the land of Italy had been divided up under various sovereignties. Between that time and the eighteenth century, the

individual sovereignties had changed, but their number had only increased. Of these the chief were Naples and Sicily (under Spain), the Papal States, Milan (also under Spain), the Grand Duchy of Tuscany, the Republic of Venice, and Piedmont (under the House of Savoy). At the Peace of Utrecht in 1713–14, Naples and Milan and Sardinia were given up to Austria, and Sicily to the Duke of Savoy, who thereby also got the title of King of Sicily. Five years later, however, he was forced to accept Sardinia, exchanged for Sicily with Austria, at which time his title was also changed to King of Sardinia.

The next important change which took place was in 1735. The 'War of the Polish Succession' had involved Austria and Spain, and brought about a change in the Austrian dominions in Italy. Naples and Sicily were ceded to Don Carlos, a younger son of Philip V of Spain. In 1759, Charles of Naples succeeded to the throne of Spain, and accordingly abdicated in favour of his youngest son, Ferdinand, in whose line Naples and Sicily remained 'Bourbon' for another hundred years.

The period of Napoleon brought many great changes to Italy, but the territorial changes were the least permanent; for the Congress of Vienna restored most of the former Italian sovereignties, except Venice, which had been ceded to Austria by Buonaparte in 1797. After 1815, Venice, the Milanese, and the other North-Italian possessions of Austria, formed the 'Lombardo-Venetian kingdom' of the emperor.

1848, the year of revolutions in Europe, brought new movements to a head also in Italy. Charles Albert, King of Sardinia, led an Italian League against Austria in Lombardy and Venetia; but the war was a failure,

and ended with the abdication of the king. But the House of Savoy was still the natural leader of Italian aspirations, and was worthily represented by King Victor Emmanuel, Charles Albert's son. The next war, in 1859, was more successful for Italian hopes, and resulted in the cession of Lombardy by Austria, which, however, still retained the Venetia.[1] As the price of Napoleon III's assistance in this war, the kingdom of Sardinia had to cede Nice and Savoy to France. But she was then suffered to annex Tuscany, Romagna, and the central Italian duchies, where the peoples were all in favour of union.

The next year saw the wonderful descent of Garibaldi and his volunteers upon Sicily and his amazing conquest of the whole Neapolitan kingdom. Sardinia accepted the *fait accompli*, announced the annexation of the Neapolitan provinces to 'Italy'; and on March 17, 1861, at Turin, Victor Emmanuel assumed the title of King of Italy.

All that remained to complete the unification of Italy were the central portions still held by the Pope and the northern portions held by Austria. There could be no doubt about the wishes of the inhabitants. When the duel between Austria and Prussia was imminent, in 1866, the kingdom of Italy naturally agreed to make common cause against the Hapsburgs. Accordingly, the alliance of April 8, 1866, was concluded, and although the Italian part of the war of that year was conspicuously unsuccessful, Victor Emmanuel received the reward for his sacrifices and his faithfulness to his ally, by Article II of the Treaty of Prague (p. 76). Six weeks later the final treaty

[1] Treaty of Zurich, November 10, 1859, Hertslet, ii, Nos. 301, 302, 303.

between Austria and Italy was concluded at Vienna, on October 3, 1866 (p. 100). Victor Emmanuel gained the Venetia. He would gladly have received the Trentino too, which Italian troops had occupied. But the kingdom of Italy was no match at this time for the entire Austrian forces, and Prussia, Italy's ally, had already withdrawn from the war. The acquisition of the Trentino had not formed part of the convention of alliance between Prussia and Italy. But though baulked of the Trentino, the kingdom of Italy soon extended in another direction, for in 1870 it entered Rome, and put an end to the Temporal Power.

Neutrality of Luxemburg.

The international position of the Grand Duchy of Luxemburg is similar to that of the kingdom of Belgium. They have each been made neutral by treaty of the Powers, and each is bound to observe its own neutrality. But while Belgium has sufficient resources to 'observe' her neutrality in the sense of defending it, the resources of Luxemburg are too insignificant for such a task. So clearly was this recognized by the Powers, that they expressly bound the Grand Duchy not to have any fortifications. It was therefore never contemplated by the Treaty of 1867 that Luxemburg should fight for its own defence. It was better that there should be no prepared fortifications for an enemy to seize. And as it was prevented from ever defending itself, the Powers collectively guaranteed its neutrality.

Luxemburg came down from the Middle Ages as part of that famous Burgundian inheritance which Louis XV characterized as 'the origin of all our wars'. In the seventeenth century it belonged to the Spanish Hapsburgs, but after their extinction it was, along with the rest of the Spanish Netherlands, handed over to the

Austrian Hapsburgs, at the Peace of Utrecht in 1714. This arrangement lasted till 1795, when Luxemburg was conquered by the army of the French Republic. At the rearrangement of Europe by the Congress of Vienna, in 1815, Luxemburg was given, as a separate Grand Duchy, to the new King of the Netherlands, the head of the House of Orange-Nassau, in return for his resignation of the German possessions of his house, which were annexed to Prussia. Thus the Grand Duchy remained, along with Belgium, dependent on the Dutch Crown till the Revolution of 1830, when it threw in its lot with the Revolutionaries. This union of Luxemburg with Belgium formed one of the greatest obstacles to peace: for King William I of Holland naturally refused to give up his Grand Duchy, and in this he was fully supported by the Dutch people. The Treaty of London, November 15, 1831, between Great Britain, France, Austria, Prussia, and Russia, provided for the independence of Belgium and for the inclusion in it of the western part of Luxemburg, the Dutch Crown retaining the rest, with a compensation for what had been thus lost, in Limburg. The Dutch Government refused to accept this arrangement, and for seven years the whole of Luxemburg remained under the Belgian Government. In 1839, however, an agreement was arrived at, and the Netherlands acceded to a new Treaty of London (p. 37), on April 19, by which she recognized the independence of Belgium, and the partition of Luxemburg, with compensation to herself in Limburg. The portion of the Grand Duchy thus left to the Dutch Crown is much smaller than that retained by Belgium (999 square miles as against 1,725), but it is richer and more populous, and contains the city of Luxemburg itself. The parts of Limburg given

as compensation were incorporated in the State of the Netherlands in 1867,[1] and not retained (as Article IV of the Treaty of 1839 permitted) as part of the Grand Duchy personally dependent on the Dutch king.

For the next twenty-five years the history of the Grand Duchy was uneventful. Although dependent upon the Crown of Holland, it nevertheless formed part of the Germanic Confederation (by Article LXVII of the Treaty of Vienna, 1815), and the King of Holland, in his capacity as Grand Duke, was therefore a member of that body. Moreover, although he was sovereign Grand Duke, his capital, the city of Luxemburg, was garrisoned by Prussia.[2]

In 1866 events occurred which rendered more difficult this somewhat complicated constitution of the Grand Duchy. The war between Austria and Prussia divided and broke up the Germanic Confederation, which was finally dissolved by Article IV of the treaty of peace between those two countries, at Prague, on August 23, 1866 (p. 76). In its place was established the North German Confederation, under Prussian headship; but into this new confederation Luxemburg did not enter. Instead, the Grand Duke, King William III of Holland, seemed ready to sell Luxemburg to the French Empire. Prussia, naturally anxious to prevent France from getting control of such an important strategic country, protested and prepared for war. A way out of the difficulty was found by the Congress of Powers which met at London in 1867. There Great Britain, Austria, Belgium, France, Italy, the Netherlands, Prussia, and Russia, agreed that Luxemburg should remain an independent Grand Duchy in the House of Orange-

[1] Article VI of the Treaty of London, May 11, 1867.

[2] Treaty of Frankfort, July 20, 1819 (Hertslet, i, p. 251 note).

Nassau. By Article II of this treaty, May 11, 1867 (p. 42), Luxemburg is to be 'perpetually neutral', and 'to observe the same neutrality towards all other states'. The Powers 'engage to respect the principle of neutrality', and this principle 'is and remains placed under the sanction of the collective guarantee of the Powers'. The insertion of the ord 'collective' rendered the guarantee practically empty of worth. The Earl of Derby explained it at the time, in these words: 'a collective guarantee is one which is binding on all the parties collectively; but [of] which, if any difference of opinion should arise, no one of them can be called upon to take upon itself the task of vindication by force of arms.'[1]

The 'Kingdom of Italy', which had been constituted six years before (March 17, 1861), had not been at first invited to the Congress, but with the reasonable desire to mark her rise as a Great Power had requested to take part in the conference. Accordingly, the preamble of the Treaty of London states that the Powers 'resolved by common consent, to respond to the desire manifested by His Majesty the King of Italy to take part in a deliberation destined to offer a new pledge of security for the maintenance of the general tranquillity'.

The Treaty of London, May 11, 1867, thus made Luxemburg a neutral state, under a collective guarantee. It also provided for the evacuation of the fortress of Luxemburg by the Prussian garrison, and for the demolition of the defences. The historical reason for the neutrality of Luxemburg, as also of that of Belgium, was to prevent French aggressions on Germany.

The care with which Prussia looked after the neutrality

[1] *Hansard*, July 4, 1867.

of Luxemburg is strikingly shown by the correspondence laid before the British Parliament in 1871 (p. 44). Bismarck vigorously protested against certain alleged violations of the Luxemburg neutrality on the part of France, particularly the transit of French wounded, and also the dispatch of provisions for Thionville over the Luxemburg railways. Bismarck announced that violations of Luxemburg neutrality by the enemy relieved Prussia during that war and with regard to France, from the stipulations of the Treaty of 1867. The violations were denied, and the German threat was not carried out by Bismarck, who gave notice at the end of the war that the King of Prussia adhered to the principle of neutrality contained in the Treaty of 1867 (p. 47).

Luxemburg, in 1890, on the death of King William III of Holland, by the Salic Law passed from the reigning Dutch House to Adolphus, Duke of Nassau, whose German duchy had been annexed by Prussia after the Austro-Prussian War of 1866.

Alsace-Lorraine

The Treaty of Frankfort, May 10, 1871 (p. 104), finally settled the peace between France and Germany which had been broken by the war of 1870–1. But although the Treaty of Frankfort was the final act, the Preliminaries of Versailles, February 26, 1871, had really settled all the outstanding questions.

Paris had capitulated a month before (January 28). Ten days previously, while the siege still continued, the princes of the North German Confederation, the statesmen and generals, had proclaimed King William of Prussia as the German Emperor William I. When Paris capitulated, on January 28, it was felt by all the wiser spirits of France that resistance must now end, and the inevitable be accepted. Gambetta, south of

the Loire, was still proclaiming resistance to the death, and protesting that not an inch of French territory should be ceded. But saner, though less idealistic, counsels prevailed, and the Assembly, which the Government of National Defence had arranged to be elected and summoned to Bordeaux, by appointing Thiers to be the head of the executive power, declared for peace. The price of peace, which was a hard one, was contained in the Preliminaries of Versailles, which were accepted by the Assembly at Bordeaux on March 2, 1871: 'the National Assembly, submitting to consequences of which it is not the author, ratifies the Preliminaries of peace . . . which have been signed at Versailles, on February 26, 1871.'

The terms stripped France of Alsace and Lorraine, as they were delimited on the geographical and statistical map of the Prussian General Staff. Over this a certain amount of bargaining took place. Finally, the frontier of Lorraine to the west of Metz was slightly extended in favour of Germany, while France was left with the important fortified city of Belfort. In addition, France agreed to pay an indemnity of five milliards of francs, and to pay the expenses of the German army of occupation until the indemnity had been acquitted in full.

The Treaty of Frankfort, May 10, 1871, embodied the Preliminaries of Versailles, with a further 'rectification' of the frontier of Lorraine in favour of Germany, and a corresponding addition to the French territory in front of Belfort.

Turkish Empire.

The Treaty of Paris (March 30, 1856),[1] which ended the Crimean War, admitted Turkey 'to participate in the advantages of the Public Law and Concert of

[1] Hertslet, ii, No. 264.

Europe' (Article VII). By the same Article the Powers engaged 'to respect the Independence and Territorial Integrity of the Ottoman Empire', and to 'guarantee in common the strict observance of that engagement'. This treaty, concluded just over five hundred years since the Turks had taken Constantinople, was supposed to close the long period in which they had been the enemy of Europe. But Turkey within the European States-system has proved to be a great deal more troublesome than Turkey outside it.

Other important articles in the Treaty of 1856 were (X) the closing of the Straits of the Bosphorus and Dardanelles, and (XI) the neutralization of the Black Sea. Article X reaffirmed the principle of a Convention of 1841, but in a more stringent form. No foreign ships of war were to be allowed to enter the Bosphorus or Dardanelles, whether in time of war or peace. Article XI declared the Black Sea 'open to the Mercantile Marine of every Nation', and 'interdicted to the Flag of War either of the Powers possessing its Coasts or of any other Power', except with regard to certain light vessels for police purposes.

It was impossible that a great empire like Russia should for ever submit to have its flag forbidden from the only 'warm-water' sea which washed its shores. Actually Article XI of the Treaty of 1856 lasted until 1871. In that year it was denounced by Russia, and a new convention was entered into by the Powers[1] (p. 78). By this it was declared that the Sublime Porte could open the Straits in time of peace to the Vessels of War of friendly and allied Powers, but only 'in order to secure the execution of the stipulations of the Treaty of 1856'. The Black Sea was to remain open

[1] London, March 13, 1871.

to the mercantile marine of all nations, but there was no prohibition against Russia maintaining any naval force there. The principle of the free navigation of the Danube (subject only to necessary and equal dues) was again confirmed. Such a principle had been affirmed in a more general way for 'international' rivers, in the Congress of Vienna.[1] It had been specifically affirmed for the Danube in the Treaty of 1856.

By the end of the year 1878 great changes had happened to Turkey. Article IX of the Treaty of 1856 had taken note of the Sultan's 'constant solicitude for the welfare of his subjects', and of 'his generous intentions towards the Christian population of his Empire'. These intentions, however, had not been fulfilled by 1877, when the Russo-Turkish War broke out. The Tsar Alexander II had pledged himself to do something for the Christian subjects of the Porte, if reform from within failed. By the end of January 1878, after much hard fighting, the Russians had entered Adrianople, and Constantinople was at their mercy. They were now in a position to dictate terms which would secure some measure of prosperity for the Christian subjects of the Porte. On February 19, the Treaty of San Stephano[2] was signed between Turkey and Russia. Its terms were drastic, and while they would have opened up new problems, they would certainly have prevented Turkey from doing much more mischief in Europe. A 'Big Bulgaria' was to be created, with the Black Sea on the east, the Danube on the north, the Albanian Mountains on the west, the Aegean on the south. Montenegro and Serbia were recognized as independent; and the Porte promised definite reforms in its Christian provinces. As an

[1] Hertslet, i, No. 27; Arts. 108–17. [2] Hertslet, iv, No. 518.

indemnity to herself, Russia was to get back the portion of Bessarabia which she had ceded in the Treaty of 1856, and which had been added to the subject principality of Roumania. Roumania had been fighting vigorously on the side of Russia in the war that was just finished. Russia was also to get from Turkey Kars, Ardahan, and Batoum in Transcaucasia.

The Treaty of San Stephano met with no acceptance from the Powers of Europe. Austria could not tolerate the 'Big Bulgaria', which would stand across her path towards the Aegean; Great Britain feared the extension of Russian influence towards Constantinople and in Asia Minor. Austria and Great Britain demanded that the settlement of the whole Russo-Turkish question should be left to a congress. Russia agreed, and the Congress of Great Britain, Austria, France, Germany, Italy, Russia, and Turkey met under the presidency of Bismarck on June 13, 1878, at Berlin.

Before the Congress of Berlin met, Disraeli had already negotiated a treaty of alliance between Great Britain and Turkey, June 4, 1878 (p. 78). Fearing the advance of Russia over the Caucasus, and always particularly sensitive to anything which seemed to threaten her Eastern Empire, Great Britain, by this 'Convention of Constantinople' (or 'Cyprus'), agreed to defend Turkey from further aggression by Russia in Asia. In return Turkey promised to introduce reforms for the protection and good government of her Christian subjects. The necessary reforms were to be agreed upon by the two Powers at a later date. In addition, Turkey consented to 'assign the island of Cyprus to be occupied and administered by England'. Turkey reserved certain rights in the island, and Great Britain agreed to make over to the Porte the excess

of revenue over expenditure, calculated on the average of the last five years.[1] The war between Turkey and Great Britain in 1914 put an end to this convention, and accordingly Cyprus was annexed by an Order in Council on November 5, 1914.

The result of the labours of the Congress of Berlin was the famous Treaty of July 13, 1878 (p. 79). It contains sixty-four articles, and is for South-Eastern Europe what the Great Treaty of Vienna of 1815 was for the West; and for thirty years its territorial arrangements received comparatively small modifications. Instead of the large state contemplated by the Treaty of San Stephano, a much smaller Bulgaria was established between the Danube and the Balkans, and tributary to the Sultan. Eastern Roumelia, lying south of the Balkans, was formed into a province within the Turkish Empire, but under a Christian Governor-General.[2] But in 1886[3] the sovereign of Bulgaria was entrusted with the Governor-Generalship of Eastern Roumelia, and it is now part of that State.

Crete was to remain in the Turkish Empire, but governed according to the Organic Law or *Firman* of 1868, by which the Sultan promised equal fiscal treatment for Christian and Mahomedan inhabitants, and the representation of Christians in the administrative Council of the island.[4] Similar laws were to be applied to the other parts of Turkey in Europe.

Montenegro, Servia, and Roumania were recognized as independent, although the Roumanians were dis-

[1] Annex to the Convention of June 4; Hertslet, iv, No. 525.

[2] Articles XIII–XXI.

[3] Act for modifying Articles XV and XVII of the Treaty of Berlin, April 5, 1886, Hertslet, iv. No. 611.

[4] Hertslet, iv, Appendix, p. 3229.

appointed in their hope of keeping the part of Bessarabia which had been ceded by Russia in 1856. But they were given instead the territory of Dobroutcha, so that they had a good coast line and the Delta of the Danube.

Austria-Hungary was given the occupation and administration of Bosnia and Herzegovina, while Russia acquired Kars, Ardahan, and Batoum, in Transcaucasia. Batoum, however, was to be a free port, 'essentially commercial'—i.e. presumably unfortified. Finally, the Sultan's Government promised to maintain the principle of religious liberty, and to 'give it the widest scope'.

The distrust felt by Great Britain for Russia was shown in the Treaty of 1871, by which the Bosphorus and Dardanelles were still kept practically closed to ships of war; by the 'Convention of Cyprus', by which Great Britain acquired control of that island, 'if Batoum, Ardahan, Kars, . . . be retained by Russia' (as actually happened); and by Article LIX of the Treaty of Berlin declaring Batoum to be an 'essentially commercial' port. The closing of the Dardanelles has been acquiesced in by Russia, but the Article dealing with Batoum was denounced on July 5, 1886. Great Britain protested against this, although Russia vigorously contended that it was no breach of the Treaty of Berlin, but an administrative matter within the competence of the Tsar.[1]

On October 3, 1908, the Powers of Europe received a note which was to prove the beginning of the end of the Treaty of Berlin. The Government of Austria-Hungary declared an end to the suzerainty of Turkey in Bosnia and Herzegovina, and proclaimed the full sovereignty of the Austrian Emperor there (p. 83).

[1] Hertslet, iv, Nos. 615–17.

Very disingenuously, Austria made no allusion to Article XXV of the Treaty of Berlin, but only to a subsequent Convention between herself and Turkey in 1879. The Porte, however, at once set the matter in its true light, by pointing out the departure of Austria from the Treaty of Berlin, and declaring that no change in the sovereignty of Bosnia and Herzegovina could be made 'without the unanimous agreement of Turkey, the sovereign of these countries, and of the other High Contracting Powers' (p. 86). Nevertheless, this did not prevent Turkey herself from coming to a separate arrangement with Austria, four months afterwards, and accepting a pecuniary compensation.[1] Two days after Austria had declared the complete annexation of Bosnia and Herzegovina, Bulgaria likewise denounced the Turkish suzerainty, and her Prince was declared independent 'Tsar'.[2]

These events had grown out of the 'Young Turk' movement, which seemed to foreshadow a renewed and reinvigorated Turkey, that might be able to make its nominal powers only too real. But the 'Young Turk' movement miserably failed to rejuvenate Turkey, and was indeed only the beginning of fresh troubles for the Porte.

On September 29, 1911, the Italian Government declared war upon Turkey over the question of Turkish policy in the province of Tripoli. Considerable difficulty was experienced by the Italians in their military operations, but by the summer of 1912 the war was practically over, and on October 18 the Treaty of Lausanne or Ouchy (p. 116) was at last concluded and the Tripolitana was annexed to Italy.

[1] Treaty of February 26, 1909 (Constantinople).

[2] October 5, 1908.

By this time Turkey was already involved in another war, of much greater magnitude, with the Balkan League. This great military alliance, between Bulgaria, Serbia, Greece, and Montenegro, had been formed by various conventions in the early part of 1912. Their quarrel with Turkey was partly due to the misgovernment of the Christian Balkan people of Macedonia, and partly to the desire to extend their own territory over the parts of Turkey occupied mainly by Christians. The war began on September 30, 1912, and was terminated after marked successes on the part of the Allies, by the Treaty of London, May 17–30, 1913 (p. 120), by which Turkey ceded to the Allied Balkan States all her territory (except Albania, which was to be made independent) north of the Enos-Midia line: at the same time she ceded Crete. The Congress at London was unable to arrange for the division of the ceded territory among the Allied States. This question was left to be settled by the interested States themselves. The European Great Powers had, however, authority, under the Treaty, to dispose of the Aegean Islands and Peninsula of Mount Athos.

The question of the division of the ceded territories gave rise to the short but terrible Second Balkan War, between Serbia and Greece on the one part and Bulgaria on the other. The war, which began on June 30, was rendered hopeless for Bulgaria by the intervention of Roumania against her on July 9. Turkey took advantage of the situation to break her obligations under the Treaty of London of May 17–30, by reoccupying Adrianople on July 20. Bulgaria could resist no longer, and under the influence of King Charles of Roumania a Conference of the Balkan States was opened at Bucharest on July 31. Peace was signed on August 10 (p. 121).

Macedonia was shared out between Greece and Serbia. Roumania gained from Bulgaria something over 8,000 square miles along the right bank of the Danube, including Silistria.

Bulgaria might have hoped to keep at least Thrace as her share of the territory ceded by Turkey at the Treaty of London. But she was too exhausted to think of expelling Turkey from Adrianople. On September 16–29 she signed a treaty with the Porte,[1] leaving to Turkey 100 square miles of Thrace, including Adrianople and Kirk Kilisse.

The Powers had called upon Turkey to observe the Treaty of London. At the same time Turkey was endeavouring to have her economic and judicial relations with the States of Europe put upon the basis of ordinary International Law and custom, instead of the 'Capitulations', by which her economic freedom was limited, and foreigners were given special judicial rights. The Capitulations had been made necessary by Turkey's former consistent contempt for International Law, and appeared equally necessary now owing to her recent violation of it. In the Treaty of Lausanne (p. 118), it is true, by which peace with Italy was established on October 18, 1912, Turkey had stated her intention of negotiating with the Powers for a legal abolition of the Capitulations, and the substitution for them of the 'system of International Law'. But before any arrangements had been made in this respect, Turkey had herself first denounced the Capitulations (September 11, 1914), while peace still existed between her and all the Powers; six weeks later (October 29), on the initiative of Turkey, war, which is the great solvent of treaties, was begun.

[1] Constantinople, September 16–29, 1913, *Nouveau Recueil*, 3me série, tome viii.

Egyptian Conventions.

The 'Pashalik' of Egypt was by a Firman of the Sultan in 1841 (February 13) granted to the able Albanian Mehemet Ali and to his descendants in the direct line. For the next forty years Egypt was left practically alone, subject to payment of tribute to Turkey. But the reign of the ambitious and extravagant Ismail, the grandson of Mehemet Ali, from 1863–79, involved the population in a state of misery, and the Government in difficulties abroad, which led to the intervention of Great Britain and France. As a result, in 1876, two international controlling agencies were established: the Mixed Tribunals for justice, and the Caisse de la Dette for finance. The financial freedom of the Egyptian Government was still further curtailed at the end of the same year by the 'Dual Control', according to which an English official was put over the revenue system, and a French official over the system of expenditure.

Ismail was deposed by the Sultan of Turkey in 1879. Under his son Tewfik, the insurrection of Arabi took place, partly due to discontent with the Khedivial misgovernment, partly to dislike of the foreign element in Egypt. The massacre at Alexandria on June 11, 1882, led up to the bombardment of that city by the British fleet one month later. The British Government then proposed a joint intervention by Great Britain, France, and Italy, but the two latter Powers declined. Accordingly, Great Britain alone landed a force under Sir Garnet Wolsey, who defeated Arabi at Tel-el-Kebir on September 13, 1882. The Khedive Tewfik was a refugee with the British at Alexandria. Under the British military occupation, the Khedivial Government was re-established at Cairo.

Since then, the British power, which was meant at

first to be merely temporary, has never ceased. As the result of conferences held on the affairs of Egypt by the Great Powers, a 'Self-denying Protocol' had been signed by Great Britain, Austria, France, Germany, Italy, and Russia, at Therapia on the Bosphorus, on June 25, 1882 (p. 87). They bound themselves to seek no exclusive privilege in any arrangement which might be made in consequence of their concerted action. No concerted action took place, but the principle of no exclusive privilege or territorial advantage has been maintained.

After the Occupation in 1882 the Egyptian Government, under the influence of British officials, notably Sir Evelyn Baring (Lord Cromer), who became Her Britannic Majesty's Consul-General in 1884, became purged of the abuses which had kept the country in misery. But the very success of the joint administration, and the reforms which were only possible by continuously sustained effort, made the withdrawal of the British officials practically impossible. In addition, the reconquest of the Sudan, which by the end of January 1885 had been entirely lost to Egypt, and which the Egyptian Government was extremely anxious to recover, could not be accomplished without British help.

In order to make the British position in Egypt more regular, Sir Henry Drummond Wolff was sent on a special mission to Constantinople in August 1885, and arranged a Convention (October 24), according to which one Turkish and one British High Commissioner should proceed to Egypt, with a view to reforming the administration and to tranquillizing the Sudan (p. 88). Article VI stated that the two High Commissioners, after finishing their work and assuring the good working and stability of the Egyptian Government, would

present a report to their respective Governments, and would then 'consult as to the conclusion of a Convention regulating the withdrawal of the British troops from Egypt in a convenient period'. The two High Commissioners actually went to Egypt, made their inquiries, and reported to their Governments. As a result, on May 22, 1887, a Convention was signed by Sir Henry Drummond Wolff, Kiamil Pasha, and Said Pasha, in which Article V declared that 'at the expiration of three years from the date of the present convention, Her Britannic Majesty's Government will withdraw its troops from Egypt'.[1] The Article, however, contained the proviso that the Occupation might be prolonged if 'the appearance of danger, in the interior or from without, should render necessary the adjournment of the evacuation', but that 'the British troops will withdraw from Egypt immediately after the disappearance of this danger'. Finally, Article V authorized the Turkish and British troops to re-enter Egypt, if the external or internal condition of the country should again require intervention. France and Russia objected to this 'right of re-entry', and protested. Accordingly, the Sultan did not ratify the Convention. After the month allowed for ratification had been uselessly prolonged by the British Government, Sir Henry Drummond Wolff (who had been refused a final audience by the Sultan) left Constantinople on July 15. The anxiety of the British Government to get the Convention ratified is one of the surprises of history: the Convention was completed, signed, and only awaited the Sultan's seal. Accordingly, if, as Lord Salisbury wrote from the Foreign Office on July 17, 1887, 'the responsibility for the prolongation of our

[1] *Parliamentary Papers*, 1887, vol. ii, p. 538 (Egypt, No. 7, 1887).

occupation must rest with the Turkish Government, as we had done all in our power to shorten it ',[1] we must also give to Turkey some of the credit for enabling the consequent development and prosperity of Egypt, under our peaceful régime, to take place.

The British occupation remained with little change till 1914. The dual control of the revenue and expenditure system by one English and one French official had been abolished by Khedivial decree on January 18, 1883, and an English Financial Adviser had been established instead. In 1904 the Anglo-French Entente was signalized by a Convention respecting Egypt (April 8), in which the Government of the French Republic 'declare that they will not obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner' (p. 1). The British Government, on its side, acknowledged that France should have similar latitude with regard to Morocco.[2] Secret additional articles to this treaty were made public by the Foreign Offices of Great Britain and France in 1911 (p. 4). These articles contemplated the possibility of further changes in the international status of Egypt. The French Government only engaged that it would 'not refuse to examine any such proposals'. In consequence of the war between Turkey and Great Britain in 1914, and the adherence of the Khedive, Abbas II, to the Turks, Great Britain declared (p. 96) 'that the rights over the Egyptian Executive of the Sultan or of the late Khedive are forfeited to His Majesty'. A British Protectorate was declared, and

[1] *Parliamentary Papers*, 1887, vol. ii, p. 582 (Egypt, No. 8).

[2] France strengthened her position with regard to Morocco by a Treaty with the Government of that country in 1912.

the Government of Egypt, with the title of Sultan, under the Protectorate, was offered to and accepted by Prince Hussein (December 19, 1914). At the same time, the British Foreign Office announced that, 'His Majesty's Government, having been informed that the Government of the French Republic have recognized the British Protectorate over Egypt, his Britannic Majesty's Principal Secretary of State for Foreign Affairs gives notice that his Majesty's Government adhere to the Franco-Moorish Treaty of March 30, 1912'. As Great Britain had also recognized the annexation of the Tripolitana by Italy in 1912, the three Powers who along with Spain were chiefly interested in North Africa, found themselves in complete accord.

Neutralization of Suez Canal.

The Compagnie Universelle du Canal Maritime de Suez was instituted in consequence of a concession obtained by Ferdinand de Lesseps from Said Pasha, the son of Mehemet Ali, in 1856. The concession was for the construction of a ship-canal from the Mediterranean to the Red Sea, and a fresh-water canal, for the supply of drinking-water, from the Nile to Suez. The company was to have a lease of the Maritime Canal for ninety-nine years from the opening of the canal. In 1866 the capital of the company was subscribed, for the most part in France; 176,602 of the shares (500 francs each) were held by the Egyptian ruling family. In November 1869 the canal was opened. In 1875 the British Government, to relieve the financial difficulties of the Khedive Ismail, purchased his shares, amounting to 176,602, out of a total of 400,000, for £3,976,582.

The Concession of 1856 had stipulated that the canal and its ports should be open to the ships of all nations.

After the British occupation began in 1882, it was necessary to settle the international position of the canal definitely. The Final Act was drawn up in a conference of the Powers, at Constantinople, on October 29, 1888 (p. 89). The fresh-water canal had been given up by the company to the Khedivial Government by agreements, of which the last was in 1863. The important Article in the Convention of 1888 is number I, by which the canal is declared open perpetually, in time of war as well as peace, to every vessel of commerce or of war, without distinction of flag. No hostile act, however, may be committed in the canal or within three marine miles of its ports of access (Article IV). In 1904, by the Anglo-French Agreement of April 8, the British Government formally undertook the guarantee of the free passage of the canal, and accordingly gave notice that the sentences of Article VIII of the Convention of 1888, which related to annual meetings of agents of the signatory Powers to watch over the due execution of the Convention, should henceforth be in abeyance (p. 3).

Triple Alliance. The Triple Alliance of Germany, Austria, and Italy has never been published in its complete form, although various indications have been given by responsible statesmen. The main points about it are, firstly, that it is defensive only: the Marquis di San Giuliano, Italian Minister for Foreign Affairs, declared on August 1, 1914 (p. 23), 'the purely defensive character of the Triple Alliance.' Secondly (a principle necessarily following from the first), the Triple Alliance guaranteed each country, if attacked, against any alteration in the territorial *status quo*. The maintenance of the *status quo* as the object of the Triple Alliance was stated by Tommaso Tittoni in the Italian Chamber of Deputies

on December 4, 1909.[1] Thirdly, there was a provision for possible amendment in the territorial *status quo*, probably with regard to the Austrian possession of the Trentino, on the basis of mutual compensation.[2]

In 1879, Austria and Germany, in order to secure themselves from the power of Russia, formed a Dual Alliance at Vienna on October 7 (p. 20). By this, each of the two parties agreed to support the other, if either was attacked by Russia; if attacked by any other Power, the one not attacked promised 'at the least to observe a benevolent neutral attitude' towards her ally. The treaty was kept secret till February 3, 1888, when Bismarck published it as a warning to Russia, about whose military strength and policy he, like all Germans, had always felt very uneasy.

This Dual Alliance was converted into the 'Triplice', by the accession of Italy in May 1882. The new alliance was to last for five years. It has since been renewed three times, on the last two occasions, apparently, for periods of twelve years, of which the final period was calculated to last till May 20, 1915.[3]

Triple Entente.

The origins of the Triple Entente are to be found in the Anglo-French colonial agreement of 1904 (p. 1). Previously to that time there had been considerable rivalry between Great Britain and France, almost entirely in colonial affairs. The well-known 'Fashoda incident' in 1898, when Major Marchand planted the French flag in the basin of the White Nile, is an instance of such rivalry.

[1] Tittoni, *Italy's Foreign and Colonial Policy*, English translation by San Severino, p. 130.

[2] *Frankfurter Zeitung*, February 4, 1914, quoted in *The Times*, February 6, 1914. This provision is here referred to as 'Article VII'.

[3] P. Albin, *Les Grands Traités politiques*, p. 61.

France is the greatest colonial Power in the world after Britain. That she has been able to become so is a proof that the existence of the British Empire has not rendered impossible the growth of others. For—if we set aside the occupation of Algiers—France did not come into the field any earlier than Germany, in the pursuit of colonies. The first great colonial empire of France was lost in the course of the eighteenth century and the Napoleonic wars. Then came the conquest of Algiers, between 1830 and 1847. But apart from this, France made no marked advance in the way of colonial empire till ten years after her disastrous war with Germany, in 1870. It was not till 1881 that Tunis was occupied, Tonkin in 1884, Madagascar in 1896. The French settlements in the north-west of Africa had grown up at various dates, but it was not till 1898 that by a Convention with Great Britain, France was recognized as having for her own appropriate sphere practically the whole north-west of the continent, excluding Morocco.

The 'entente' of 1904 was doubtless actuated by the recognition of the reasonable principle that the world was wide enough to contain the colonial empires both of France and Britain. Each empire, too, was faced with the possibility of attack by Germany, which desired not merely some of England's colonial territory, but also, as is proved by the statement of the German Chancellor on the subject on July 29, 1914, desired some of France's, too.[1] To safeguard herself against

[1] 'The Imperial Government aimed at no territorial acquisitions at the expense of France. . . . I questioned his Excellency about the French colonies, and he said that he was unable to give a similar undertaking in that respect.'—Sir E. Goschen to Sir E. Grey, July 29, 1914 (Great Britain and the European Crisis, No. 85).

Germany, and probably with the idea of some day regaining her lost provinces, France had already concluded a definite alliance with Russia, between the years 1891 and 1897.[1] Its terms have not been published, but it was clearly a counterpart to the 'Triplice' of Germany, Austria, and Italy.

The advantages to Great Britain of friendship with France were obvious, as France was a naval power, and her fleet, if it were ever united with the British fleet, would render impossible any naval ascendancy by Germany. But prejudices in both countries stood in the way of any Franco-British understanding, and it is generally believed now that the bringing together of the two Governments and peoples was largely due to King Edward VII. The only diplomatic treaty signalizing the 'entente' in 1904 was the Convention of April 8, regarding Egypt, Morocco, and Newfoundland (pp. 1, 5). The French had for long been regretting their refusal to intervene in Egypt in 1882, and their consequent loss of influence in that country as compared with the progress of British influence there. But the success of the French protectorate over Tunis, and the disorders in Morocco which rendered some form of external control inevitable, pointed to another sphere for French colonial enterprise in this direction. The good work which Great Britain was doing in Egypt would obviously benefit by the withdrawal of French claims to interfere, and similar benefits would be opened up to Morocco by France being guaranteed freedom of action there likewise. The Convention of 1904 gave to each Government freedom of action in the sphere in which each had proved itself most efficient.

[1] It was formally proclaimed in August 1897, although known to have existed before.

At the same time the question of fishery-rights off Newfoundland, a question which had caused intermittent heart-burning between France and Great Britain ever since 1713, was definitely settled by mutual agreement, and by compensation. By the Treaty of Utrecht, in 1713, France had ceded to Great Britain the Island of Newfoundland, but had retained the right 'to catch fish and to dry them on land on that part of the coast which stretches from Cape Bonavista to the northern point of the island, and from thence running down by the western side to Point Riche'. This right, with only a slight modification in the area of the 'Treaty Shore' in 1783 (Treaty of Versailles), remained as a cause of friction for one hundred and ninety years. By the Convention of 1904, in return for a pecuniary indemnity, and compensation in West Africa, the French Government gave up once and for all its rights of landing on the 'Treaty Shore'. Opportunity was also taken in the Convention to adjust British and French interests with regard to Siam, Zanzibar, and Madagascar. But it was particularly pointed out by Lord Lansdowne, the British Secretary of State for Foreign Affairs, in forwarding these agreements to Sir E. Monson, ambassador at Paris, that it was 'important to regard them not merely as a series of separate transactions, but as forming part of a comprehensive scheme for the improvement of the international relations of two great countries'.[1] Thus the Anglo-French 'entente' was inaugurated. It rested on no treaty of alliance, but on something which was really stronger: namely, on the fact that when the only causes of dispute between the two countries

[1] Dispatch of April 8, 1904, in *Parliamentary Papers*, 1904, France, No. 1.

(colonial questions) could be removed, the causes of friendship between them (safety against German military and naval power) would keep them in unison, without tying them down to a fixed course of action, as a formal alliance would have done.

The accession of Russia to the Entente was a much more difficult matter, for the prejudice against that country, obvious in the Treaty of Paris of 1856, the 'Convention of Cyprus', and the Treaty of Berlin, 1878 (pp. 78, 79), was still very strong in England. But it was clear that for France to remain in the Entente, while Russia, her ally, was outside it, might lead in the future to grave difficulties. The position of the 'Entente Powers' was rendered still more delicate by the renewal of Great Britain's alliance with Japan in 1905 (p. 24), a Power which, at the time, was actually at war with Russia.

As in the case of France, so in the case of Russia, the Entente with England was brought about by the removal of the great cause of friction between them. The British and Russian Empires tended to clash in Asia. Since the advance of Russian power into Bokhara between 1860 and 1870, the British Empire in India had only been separated from it by the native State of Afghanistan. Similarly, after the consolidation of British power in Beluchistan in 1877, we were only separated from the Russian power in Transcaucasia by the State of Persia. Afghanistan and Persia kept the Russian and British Empires from getting too close to each other; but this would not be so if the two Great Powers were always intriguing against each other in the two buffer states. The sensible plan was to guarantee the independence of the two intervening states, and to agree not to compete against each other in them. Such a reasonable and

excellent arrangement was concluded on August 31, 1907 (p. 9). With regard to Persia, the British and Russian Governments mutually engaged to respect that State's integrity and independence. In the second place, Persia was considered as being in three divisions: a northern division, in which Great Britain agreed not to compete with Russia in any way for concessions; a southern sphere, in which Russia agreed not to compete with Great Britain; between these two divisions was a narrow zone, where Russia and Great Britain promised to do nothing without previous arrangement with each other.

In Afghanistan the two Great Powers were kept even more strictly apart. Russia declared Afghanistan to be completely outside her sphere of influence, and she agreed to conduct all her relations with that country through the intermediary of Great Britain. A third agreement was made, with regard to Thibet. Both Russia and Great Britain agreed to respect its territorial integrity, and to conduct negotiations with it only through the intermediary of the Chinese Government.

In this way Great Britain and Russia agreed to live in harmony. Nothing was said about the future destiny of Constantinople, the source of most of the former suspicion of the two Powers. Possibly it was felt, that with the consolidation of British power in Egypt under the Anglo-French agreement of 1904, we could look with equanimity upon the vicissitudes of Constantinople. In one other part of the world—in China—Great Britain and Russia might have found means of discord. But already in 1899 they had stated their desire to maintain China's independence, and had agreed not to compete with each other within certain zones: Great Britain would not seek for railway concessions north of the

Great Wall, and Russia would likewise withhold her hand in the Yang-tsze Valley (p. 8).

All questions of discord being thus put aside, the 'Triple Entente' formed a 'diplomatic group',[1] without being bound by an alliance, for the next seven years. In 1905, just one year after the inception of the Anglo-French Entente, and two years before Russia joined it, Germany and France had nearly come to blows over the problem of Morocco. France aimed at establishing a Protectorate there; Germany would not recognize it. The question at once arose: if Germany went to war with France, would England give military support to her friend? It was at this point that the Entente, without becoming a binding alliance, took something of the form of a military understanding. No promise was given by Great Britain, but it was agreed to exchange views on the method of armed co-operation, in case the two countries should at any future time definitely decide to fight on the same side. This was the origin of the 'conversations' of French and British naval and military experts. The British Secretary of State 'gave no promise', but 'authorized those conversations to take place, but on the distinct understanding that nothing which passed between naval or military experts should bind either Government or restrict in any way their freedom to make a decision as to whether or not they would give that support when the time arose'.[2] The crisis of 1905 was smoothed over for a time by the Algeciras Conference (January to April, 1906).

In 1908, after the friendship of Great Britain with Russia had converted the Dual into a Triple Entente,

[1] 'The Triple *Entente* was not an alliance—it was a diplomatic group.'—Sir E. Grey in the House of Commons, August 3, 1914.

[2] Sir E. Grey, loc. cit.

an international difficulty arose owing to the annexation of Bosnia and Herzegovina by Austria, against the agreement contained in Article XXV of the Treaty of Berlin. But no military support was asked from Great Britain.[1] In the next crisis in 1911, marked by the sending of a German warship to Agadir as if preparing the way for a German occupation of some part of the Moroccan coast, the question of military support by England was discussed, and, apparently, in certain eventualities, offered.[2] This crisis passed over with the conclusion of two Conventions between France and Germany at Berlin, both on November 4, 1911. By the Convention respecting Morocco, Germany recognized France's right to establish a Protectorate there. By the Convention respecting Equatorial Africa, France ceded a portion of the French Congo, and 'rectified' the frontier of the German colony of the Cameroons so as to make easier the economic development of that country. France was thus, owing to the solidarity of the Entente, free to declare her Protectorate over a great part of Morocco by the Franco-Moorish Convention of March 30, 1912.[3]

The relations between France and England were not in any way modified by the exchange of Notes, on November 22–3, 1912 (p. 15), but at the same time the withdrawal of the French fleet to the Mediterranean, which relieved the British naval concentration there, but by which 'the northern and western coasts of

[1] 'More [than diplomatic support] was never asked from us, more was never given, and more was never promised.'—Sir E. Grey, loc. cit.

[2] See the well-known speech of Mr. Lloyd George at the Guildhall, July 21, 1911.

[3] In the same year, France made Conventions for adjusting interests in North Africa with Italy and Spain.

France are absolutely undefended',[1] seemed to suggest that the British Government would not look with equanimity upon the violation of these coasts by an enemy.[2] It was on this account that, when war between France and Germany seemed certain on August 2, 1914, the British Secretary of State for Foreign Affairs gave the assurance (subject to Parliamentary ratification) that 'if the German fleet comes into the Channel or through the North Sea to undertake hostile operations against French coasts or shipping, the British fleet will give all the protection in its power' (p. 17). This agreement between Great Britain and France, August 2, 1914, together with the purely Franco-Russian Alliance, 1897, constituted the only treaty-obligations within the Entente Powers, with regard to the eventuality of European war, up to August 3, 1914.

The remaining treaties in this volume are all of comparatively recent dates, and the circumstances of their conclusion are sufficiently well known. The cession of Heligoland by Great Britain to Germany on July 1, 1890 (p. 112), was not the chief object of that treaty, which secured to Great Britain the Protectorate of Zanzibar, and also complete freedom from German interference in Uganda and Witu. The German public looked upon the treaty as a surrender of their colonial aspirations, and the acquisition of Heligoland barely consoled them, although it gratified their love for the Fatherland, and has proved to be of great value to the maritime power of Germany. The island had been lost by the Danes to Great Britain in the Napoleonic

[1] Sir E. Grey, loc. cit.

[2] But any legal obligation arising out of this disposition of the French and British fleets was expressly disclaimed in the 'Notes' of November 22-3, 1912.

wars, and had been formally ceded to us in 1814. Its condition under the British power was one of contentment and sufficient prosperity. After the annexation to Germany, it was incorporated in the kingdom of Prussia as part of the province of Schleswig-Holstein.

The terms of Vereeniging, May 28, 1902 (p. 114), are given as an instance of a recent Treaty of Annexation, which came at the end of a long and most obstinately contested war. The terms compare favourably with other annexation treaties, as being both brief and generous. The settlement, though not unchallenged, has successfully stood the test of subsequent history.

The Anglo-Japanese Treaty of August 12, 1905 (p. 24), since renewed, was a confirmation of a similar alliance made in 1902. Its object is to maintain the territorial rights of Great Britain and Japan respectively 'in the regions of Eastern Asia and of India'. This object includes the maintenance of peace, the integrity of China, and the principle of equal opportunity for the commerce and industry of all nations. The Treaty of 1905 was concluded actually while the Russo-Japanese War was in progress. The conclusion of that war by the Treaty of Portsmouth on September 5, 1905 (p. 28), which defined the respective interests of Russia and Japan on the mainland, not merely proved to be a lasting settlement, but actually resulted in Russia and Japan, and England the ally of Japan, being drawn closer together. Not merely has the Anglo-Japanese Alliance stood, but the Anglo-Russian Entente has ensued (p. 9), while finally in 1911, Russia and Japan adjusted their outstanding difficulties,[1] and have since had the friendliest relations with each other.

[1] July 25/August 15, 1911, *Nouveau Recueil*, 3me série, tome viii (abstract only).

The agreement of April 23, 19[illegible] (p. 51), between the Baltic Powers, for the *status* [illegible] in the territories washed by that sea, and a similar agreement of the same date for the *status quo* in the North Sea (p. 52), are evidences of the desire for the maintenance of peace and of existing rights, which always has been the basis of the treaty-system of Europe. And now, at the end of a somewhat long inquiry, in the midst of a great war, when 'the bond of the nations has been broken, and the ancient edifice overthrown', doubt may be cast on the life of treaties, and on the value of international sanctions. True it is that the life-period of European conventions has scarcely been commensurate with the amount of trouble spent in bringing them into the world, and the bright hopes that were formed of their durable influence therein. The word 'perpetual' has entered into most treaties, yet only a few have survived ten years without change. Sometimes that change has come by consent, rendered necessary by changing circumstances. Sometimes it has been violent, in defiance of good faith. Yet though particular treaties are made and are broken, the idea of treaty-obligation, moral and political, persists throughout the centuries. In the relations of individuals within the State, the rule of law has been substituted for the rule of passion. The persistence of the idea of treaty-obligation, amid all its failures, points to a similar settlement of the relations between States.

SECTION I

TRIPLE ENTENTE

1. AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE RESPECTING EGYPT AND MOROCCO. (LONDON) APRIL 8, 1904.

In English and French. (*Parliamentary Papers*, 1904. France, No. 1.)

ARTICLE I. His Britannic Majesty's Government declare that they have no intention of altering the political status of Egypt.

The Government of the French Republic, for their part, declare that they will not obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner, and that they give their assent to the draft Khedivial Decree annexed to the present Arrangement, containing the guarantees considered necessary for the protection of the interests of the Egyptian bondholders, on the condition that, after its promulgation, it cannot be modified in any way without the consent of the Powers Signatory of the Convention of London of 1885.

It is agreed that the post of Director-General of Antiquities in Egypt shall continue, as in the past, to be entrusted to a French *savant*.

The French schools in Egypt shall continue to enjoy the same liberty as in the past.

ARTICLE II. The Government of the French Republic declare that they have no intention of altering the political status of Morocco.

His Britannic Majesty's Government, for their part, recognize that it appertains to France, more particularly as a Power whose dominions are conterminous for a great distance with those of Morocco, to preserve order in that country, and to provide assistance for the purpose of all administrative, economic, financial, and military reforms which it may require.

They declare that they will not obstruct the action taken by France for this purpose, provided that such action shall leave intact the rights which Great Britain, in virtue of Treaties, Conventions, and usage, enjoys in Morocco, including the right of coasting trade between the ports of Morocco, enjoyed by British vessels since 1901.

ARTICLE III. His Britannic Majesty's Government, for their part, will respect the rights which France, in virtue of Treaties, Conventions, and usage, enjoys in Egypt, including the right of coasting trade between Egyptian ports accorded to French vessels.

ARTICLE IV. The two Governments, being equally attached to the principle of commercial liberty both in Egypt and Morocco, declare that they will not, in those countries, countenance any inequality either in the imposition of customs duties or other taxes, or of railway transport charges.

The trade of both nations with Morocco and with Egypt shall enjoy the same treatment in transit through the French and British possessions in Africa. An Agreement between the two Governments shall settle the conditions of such transit and shall determine the points of entry.

This mutual engagement shall be binding for a period of thirty years. Unless this stipulation is expressly denounced at least one year in advance, the period shall be extended for five years at a time.

Nevertheless, the Government of the French Republic reserve to themselves in Morocco, and His Britannic Majesty's Government reserve to themselves in Egypt, the right to see that the concessions for roads, railways, ports, &c., are only granted on such conditions as will maintain intact the authority of the State over these great undertakings of public interest.

ARTICLE V. His Britannic Majesty's Government declare that they will use their influence in order that the French officials now in the Egyptian service may not be placed under conditions less advantageous than those applying to the British officials in the same service.

The Government of the French Republic, for their part, would make no objection to the application of analogous conditions to British officials now in the Moorish service.

ARTICLE VI. In order to ensure the free passage of the Suez Canal, His Britannic Majesty's Government declare that they adhere to the stipulations of the Treaty of the 29th October, 1888, and that they agree to their being put in force. The free passage of the Canal being thus guaranteed, the execution of the last sentence of paragraph 1 as well as of paragraph 2 of Article VIII of that Treaty will remain in abeyance.

ARTICLE VII. In order to secure the free passage of the Straits of Gibraltar, the two Governments agree not to permit the erection of any fortifications or strategic works on that portion of the coast of Morocco comprised between, but not including, Melilla and the heights which command the right bank of the River Sebou.

This condition does not, however, apply to the places at present in the occupation of Spain on the Moorish coast of the Mediterranean.

ARTICLE VIII. The two Governments, inspired by their feeling of sincere friendship for Spain, take into special consideration the interests which that country derives from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. In regard to these interests the French Government will come to an understanding with the Spanish Government.

The agreement which may be come to on the subject between France and Spain shall be communicated to His Britannic Majesty's Government.

ARTICLE IX. The two Governments agree to afford to one another their diplomatic support, in order to obtain the execution of the clauses of the present Declaration regarding Egypt and Morocco.

SECRET ARTICLES

In English and French. (*Nouveau Recueil*, 3me série, tome v.)

ARTICLE I. In the event of either Government finding themselves constrained by the force of circumstances to modify their policy in regard to Egypt or Morocco, the engagements which they have undertaken towards each other by Articles IV, VI, and VII, of the declaration of to-day's date would remain intact.

ARTICLE II. His Britannic Majesty's Government have no present intention of proposing to the Powers, any changes in the system of the Capitulations, and in the judicial organization of Egypt.

In the event of their considering it desirable to introduce in Egypt reforms tending to assimilate the Egyptian legislative system to that in force in the other civilized countries, the Government of the French Republic will not refuse to examine any such proposals,

on the understanding that His Britannic Majesty's Government will agree to entertain the suggestions that the Government of the French Republic may have to make to them with a view of introducing similar reforms in Morocco.

[ARTICLE III. *Compensation to Spain.*]

2. AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE RESPECTING NEWFOUNDLAND AND SENEGAMBIA. (LONDON) APRIL 8, 1904.

In English and French. (*Parliamentary Papers*, 1904.)

ARTICLE I. France renounces the privileges established to her advantage by Article XIII of the Treaty of Utrecht, and confirmed or modified by subsequent provisions.

ARTICLE II. France retains for her citizens, on a footing of equality with British subjects, the right of fishing in the territorial waters on that portion of the coast of Newfoundland comprised between Cape St. John and Cape Ray, passing by the north; this right shall be exercised during the usual fishing season closing for all persons on the 20th October of each year.

The French may therefore fish there for every kind of fish, including bait and also shell-fish. They may enter any port or harbour on the said coast and may there obtain supplies or bait and shelter on the same conditions as the inhabitants of Newfoundland, but they will remain subject to the local Regulations in force; they may also fish at the mouths of the rivers, but without going beyond a straight line drawn between the two extremities of the banks, where the river enters the sea.

They shall not make use of stake-nets or fixed engines without permission of the local authorities.

On the above-mentioned portion of the coast, British subjects and French citizens shall be subject alike to the laws and Regulations now in force, or which may hereafter be passed for the establishment of a close time in regard to any particular kind of fish, or for the improvement of the fisheries. Notice of any fresh laws or Regulations shall be given to the Government of the French Republic three months before they come into operation.

The policing of the fishing on the above-mentioned portion of the coast, and for prevention of illicit liquor traffic and smuggling of spirits, shall form the subject of Regulations drawn up in agreement by the two Governments.

ARTICLE III. A pecuniary indemnity shall be awarded by His Britannic Majesty's Government to the French citizens engaged in fishing or the preparation of fish on the 'Treaty Shore', who are obliged, either to abandon the establishments they possess there, or to give up their occupation, in consequence of the modification introduced by the present Convention into the existing state of affairs.

This indemnity cannot be claimed by the parties interested unless they have been engaged in their business prior to the closing of the fishing season of 1903.

Claims for indemnity shall be submitted to an Arbitral Tribunal, composed of an officer of each nation, and, in the event of disagreement, of an Umpire appointed in accordance with the procedure laid down by Article XXXII of the Hague Convention. The details regulating the constitution of the Tribunal and the conditions of the inquiries to be instituted for the purpose of

substantiating the claims, shall form the subject of a special Agreement between the two Governments.

ARTICLE IV. His Britannic Majesty's Government, recognizing that, in addition to the indemnity referred to in the preceding Article, some territorial compensation is due to France in return for the surrender of her privilege in that part of the Island of Newfoundland referred to in Article II, agree with the Government of the French Republic to the provisions embodied in the following Articles:

ARTICLE V. The present frontier between Senegambia and the English Colony of the Gambia shall be modified so as to give to France Yarbutenda and the lands and landing-places belonging to that locality.

In the event of the river not being open to maritime navigation up to that point, access shall be assured to the French Government at a point lower down on the River Gambia, which shall be recognized by mutual agreement as being accessible to merchant ships engaged in maritime navigation.

The conditions which shall govern transit on the River Gambia and its tributaries, as well as the method of access to the point that may be reserved to France in accordance with the preceding paragraph, shall form the subject of future agreement between the two Governments.

In any case, it is understood that these conditions shall be at least as favourable as those of the system instituted by application of the General Act of the African Conference of the 26th February, 1885, and of the Anglo-French Convention of the 14th June, 1898, to the English portion of the basin of the Niger.

ARTICLE VI. The group known as the Iles de Los and situated opposite Konakry, is ceded by His Britannic Majesty to France.

ARTICLE VII. Persons born in the territories ceded to France by Articles V and VI of the present Convention may retain British nationality by means of an individual declaration to that effect, to be made before the proper authorities by themselves, or, in the case of children under age, by their parents or guardians.

The period within which the declaration of option referred to in the preceding paragraph must be made, shall be one year, dating from the day on which French authority shall be established over the territory in which the persons in question have been born.

Native laws and customs now existing will, as far as possible, remain undisturbed.

In the Iles de Los, for a period of thirty years from the date of exchange of the ratifications of the present Convention, British fishermen shall enjoy the same rights as French fishermen with regard to anchorage in all weathers, to taking in provisions and water, to making repairs, to transhipment of goods, to the sale of fish, and to the landing and drying of nets, provided always that they observe the conditions laid down in the French Laws and Regulations which may be in force there.

[ARTICLE VIII. *Rectification of British and French frontier east of the Niger.*]

3. (1) AGREEMENT BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING CHINA. (ST. PETERSBURG) APRIL 16/28, 1899.

In English and French. (*Parliamentary Papers, Treaty Series*, No. 11, 1899.)

GREAT BRITAIN and Russia, animated by a sincere desire to avoid in China all cause of conflict on questions where their interests meet, and taking into consideration

the economic and geographical gravitation of certain parts of that Empire, have agreed as follows :—

1. Great Britain engages not to seek for her own account, or on behalf of British subjects or of any others, any railway Concessions to the north of the Great Wall of China, and not to obstruct, directly or indirectly, applications for railway Concessions in that region, supported by the Russian Government.

2. Russia, on her part, engages not to seek for her own account, or on behalf of Russian subjects or of others, any railway Concessions in the basin of the Yang-tsze, and not to obstruct, directly or indirectly, applications for railway Concessions in that region supported by the British Government.

The two Contracting Parties, having nowise in view to infringe in any way the sovereign rights of China or existing Treaties, will not fail to communicate to the Chinese Government the present arrangement, which by averting all cause of complications between them, is of a nature to consolidate peace in the Far East, and to serve the primordial interests of China herself.

(2) AGREEMENT BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING PERSIA, AFGHANISTAN, AND THIBET. (St. Petersburg) August 31, 1907.

In French. (*Parliamentary Papers, Treaty Series*, No. 34, 1907.)

Agreement concerning Persia

The Governments of Great Britain and Russia having mutually engaged to respect the integrity and independence of Persia, and sincerely desiring the preservation of order throughout that country and its peaceful

development, as well as the permanent establishment of equal advantages for the trade and industry of all other nations;

Considering that each of them has, for geographical and economic reasons, a special interest in the maintenance of peace and order in certain provinces of Persia adjoining, or in the neighbourhood of, the Russian frontier on the one hand, and the frontiers of Afghanistan and Baluchistan on the other hand; and being desirous of avoiding all cause of conflict between their respective interests in the above-mentioned provinces of Persia;

Have agreed upon the following terms:—

ARTICLE I. Great Britain engages not to seek for herself, and not to support in favour of British subjects, or in favour of the subjects of third Powers, any Concessions of a political or commercial nature—such as Concessions for railways, banks, telegraphs, roads, transport, insurance, &c.—beyond a line starting from Kasr-i-Shirin, passing through Isfahan, Yezd, Kakhk, and ending at a point on the Persian frontier at the intersection of the Russian and Afghan frontiers, and not to oppose, directly or indirectly, demands for similar Concessions in this region which are supported by the Russian Government. It is understood that the above-mentioned places are included in the region in which Great Britain engages not to seek the Concessions referred to.

ARTICLE II. Russia, on her part, engages not to seek for herself and not to support, in favour of Russian subjects, or in favour of the subjects of third Powers, any Concessions of a political or commercial nature—such as Concessions for railways, banks, telegraphs, roads, transport, insurance &c.—beyond a line going from the Afghan frontier by way of Gazik, Birjand, Kerman, and

ending at Bunder Abbas, and not to oppose, directly or indirectly, demands for similar concessions in this region which are supported by the British Government. It is understood that the above-mentioned places are included in the region in which Russia engages not to seek the Concessions referred to.

ARTICLE III. Russia, on her part, engages not to oppose, without previous arrangement with Great Britain, the grant of any Concessions whatever to British subjects in the regions of Persia situated between the lines mentioned in Articles I and II.

Great Britain undertakes a similar engagement as regards the grant of Concessions to Russian subjects in the same regions of Persia.

All Concessions existing at present in the regions indicated in Articles I and II are maintained.

ARTICLE IV. It is understood that the revenues of all the Persian customs, with the exception of those of Faristan and of the Persian Gulf, revenues guaranteeing the amortization and the interest of the loans concluded by the Government of the Shah with the 'Banque d'Escompte et des Prêts de Perse' up to the date of the signature of the present Agreement, shall be devoted to the same purpose as in the past. It is equally understood that the revenues of the Persian customs of Faristan and of the Persian Gulf, as well as those of the fisheries of the Persian shore of the Caspian Sea and those of the Posts and Telegraphs, shall be devoted, as in the past, to the service of the loans concluded by the Government of the Shah with the Imperial Bank of Persia up to the date of the signature of the present Agreement.

ARTICLE V. In the event of irregularities occurring in the amortization—the payment of the interest of the

Persian loans concluded with the 'Banque d'Escompte et des Prêts de Perse' and with the Imperial Bank of Persia up to the date of the signature of the present Agreement—and in the event of the necessity arising for Russia to establish control over the sources of revenue guaranteeing the regular service of the loans concluded with the first-named bank, and situated in the region mentioned in Article II of the present Agreement, or for Great Britain to establish control over the sources of revenue guaranteeing the regular service of the loans concluded with the second-named bank, and situated in the region mentioned in Article I of the present Agreement, the British and Russian Governments undertake to enter beforehand into a friendly exchange of ideas with a view to determine, in agreement with each other, the measures of control in question and to avoid all interference which would not be in conformity with the principles governing the present Agreement.

Convention concerning Afghanistan

Article I. His Britannic Majesty's Government declare that they have no intention of changing the political status of Afghanistan.

His Britannic Majesty's Government further engage to exercise their influence in Afghanistan only in a pacific sense, and they will not themselves take, nor encourage Afghanistan to take, any measures threatening Russia.

The Russian Government on their part, declare that they recognize Afghanistan as outside the sphere of Russian influence, and they engage that all their political relations with Afghanistan shall be conducted through the intermediary of His Britannic Majesty's Government; they further engage not to send any Agents into Afghanistan.

ARTICLE II. The Government of His Britannic Majesty having declared in the Treaty signed at Kabul on the 21st of March, 1905, that they recognize the Agreement and the engagements concluded with the late Ameer Abdur Rahman, and that they have no intention of interfering in the internal government of Afghan territory, Great Britain engages neither to annex nor to occupy in contravention of that Treaty any portion of Afghanistan or to interfere in the internal administration of the country, provided that the Ameer fulfils the engagements already contracted by him towards His Britannic Majesty's Government under the above-mentioned Treaty.

ARTICLE III. The Russian and Afghan authorities, specially designated for the purpose on the frontier or in the frontier provinces, may establish direct relations with each other for the settlement of local questions of a non-political character.

ARTICLE IV. His Britannic Majesty's Government and the Russian Government affirm their adherence to the principle of equality of commercial opportunity in Afghanistan, and they agree that any facilities which may have been, or shall be hereafter, obtained for British and British-Indian trade and traders, shall be equally enjoyed by Russian trade and traders. Should the progress of trade establish the necessity for Commercial Agents, the two Governments will agree as to what measures shall be taken, due regard, of course, being had to the Ameer's sovereign rights.

ARTICLE V. The present arrangements will only come into force when His Britannic Majesty's Government shall have notified to the Russian Government the consent of the Ameer to the terms stipulated above.

Agreement concerning Thibet

The Governments of Great Britain and Russia recognizing the suzerain rights of China in Thibet, and considering the fact that Great Britain, by reason of her geographical position, has a special interest in the maintenance of the *status quo* in the external relations of Thibet, have made the following Agreement—

Article I. The two High Contracting Parties engage to respect the territorial integrity of Thibet and to abstain from all interference in its internal administration.

Article II. In conformity with the admitted principle of the suzerainty of China over Thibet, Great Britain and Russia engage not to enter into negotiations with Thibet except through the intermediary of the Chinese Government. This engagement does not exclude the direct relations between British Commercial Agents and the Thibetan authorities provided for in Article V of the Convention between Great Britain and Thibet of the 7th September, 1904, and confirmed by the Convention between Great Britain and China of the 27th April, 1906; nor does it modify the engagements entered into by Great Britain and China in Article I of the said Convention of 1906.

It is clearly understood that Buddhists, subjects of Great Britain or of Russia, may enter into direct relations on strictly religious matters with the Dalai Lama and the other representatives of Buddhism in Thibet; the Governments of Great Britain and Russia engage, so far as they are concerned, not to allow those relations to infringe the stipulations of the present Agreement.

Article III. The British and Russian Governments

respectively engage not to send Representatives to Lhasa.

ARTICLE IV. The two High Contracting Parties engage neither to seek nor to obtain, whether for themselves or their subjects, any concessions for railways, roads, telegraphs, and mines, or other rights in Thibet.

ARTICLE V. The two Governments agree that no part of the revenues of Thibet, whether in kind or in cash, shall be pledged or assigned to Great Britain or Russia, or to any of their subjects.

4. QUESTION OF ARMED CO-OPERATION BETWEEN GREAT BRITAIN AND FRANCE, 1907–14.

(1) SIR EDWARD GREY TO M. CAMBON, FRENCH AMBASSADOR IN LONDON, NOVEMBER 22, 1912.

(*Blue Book : Great Britain and the European Crisis*, 1914, pp. 56–7.)

MY DEAR AMBASSADOR,

From time to time in recent years the French and British naval and military experts have consulted together. It has always been understood that such consultation does not restrict the freedom of either Government to decide at any future time whether or not to assist the other by armed force. We have agreed that consultation between experts is not, and ought not to be regarded as, an engagement that commits either Government to action in a contingency that has not arisen and may never arise. The disposition, for instance, of the French and British fleets respectively at the present moment is not based upon an engagement to co-operate in war.

You have, however, pointed out that, if either

Government had grave reason to expect an unprovoked attack by a third Power, it might become essential to know whether it could in that event depend upon the armed assistance of the other.

I agree that, if either Government had grave reason to expect an unprovoked attack by a third Power, or something that threatened the general peace, it should immediately discuss with the other whether both Governments should act together to prevent aggression and to preserve peace, and, if so, what measures they would be prepared to take in common. If these measures involved action, the plans of the General Staffs would at once be taken into consideration, and the Governments would then decide what effect should be given to them.

Yours, &c.,

E. GREY.

(2) M. CAMBON, FRENCH AMBASSADOR IN LONDON, TO SIR EDWARD GREY. NOVEMBER 23, 1912.

In French. (*Blue Book*, pp. 57–8.)

DEAR SIR EDWARD,

You reminded me in your letter of yesterday, 22nd November, that during the last few years the military and naval authorities of France and Great Britain had consulted with each other from time to time; that it had always been understood that these consultations should not restrict the liberty of either Government to decide in the future whether they should lend each other the support of their armed forces; that, on either side, these consultations between experts were not and should not be considered as engagements binding our Governments to take action in certain eventualities; that, however, I had remarked to you that, if one or other of

the two Governments had grave reasons to fear an unprovoked attack on the part of a third Power, it would become essential to know whether it could count on the armed support of the other.

Your letter answers that point, and I am authorized to state that, in the event of one of our two Governments having grave reasons to fear either an act of aggression from a third Power, or some event threatening the general peace, that Government would immediately examine with the other the question whether both Governments should act together in order to prevent the act of aggression or preserve peace. If so, the two Governments would deliberate as to the measures which they would be prepared to take in common; if those measures involved action, the two Governments would take into immediate consideration the plans of their General Staffs and would then decide as to the effect to be given to those plans.

Yours, &c.,
PAUL CAMBON.

(3) SIR EDWARD GREY TO SIR F. BERTIE, BRITISH AMBASSADOR AT PARIS. AUGUST 2, 1914.

(*Blue Book*, pp. 74–5.)

(Telegraphic.)

AFTER the Cabinet this morning I gave M. Cambon the following memorandum:—

'I am authorized to give an assurance that, if the German fleet comes into the Channel or through the North Sea to undertake hostile operations against French coasts or shipping, the British fleet will give all the protection in its power.

'This assurance is of course subject to the policy of His Majesty's Government receiving the support of

Parliament, and must not be taken as binding His Majesty's Government to take any action until the above contingency of action by the German fleet takes place.'

I pointed out that we had very large questions and most difficult issues to consider, and that Government felt that they could not bind themselves to declare war upon Germany necessarily if war broke out between France and Germany to-morrow, but it was essential to the French Government, whose fleet had long been concentrated in the Mediterranean, to know how to make their dispositions with their north coast entirely undefended. We therefore thought it necessary to give them this assurance. It did not bind us to go to war with Germany unless the German fleet took the action indicated, but it did give a security to France that would enable her to settle the disposition of her own Mediterranean fleet.

M. Cambon asked me about the violation of Luxemburg. I told him the doctrine on that point laid down by Lord Derby and Lord Clarendon in 1867.[1] He asked me what we should say about the violation of the neutrality of Belgium. I said that was a much more important matter; we were considering what statement we should make in Parliament to-morrow—in effect, whether we should declare violation of Belgian neutrality to be a *casus belli*. I told him what had been said to the German Ambassador on this point.

[1] For Lord Derby's opinion on the Luxemburg guarantee see Introd., p. xxxvi. Lord Clarendon also made a distinction between the *individual* guarantee of the Powers with regard to Belgium, and the *collective* guarantee with regard to Luxemburg: 'This is a collective guarantee. No one of the Powers therefore can be called upon to take action, even in the improbable case of any difficulty arising.' *Hansard*, July 20, 1867. Cp. Introd., pp. xix–xx.

5. AGREEMENT BETWEEN GREAT BRITAIN, FRANCE, AND RUSSIA RESPECTING THE WAR. (LONDON) SEPTEMBER 5, 1914.

(*The Times*, September 7, 1914; cf. French 'Yellow Book', *France and the European War*, chap. vii.)

DECLARATION

THE undersigned duly authorized thereto by the respective Governments hereby declare as follows :—

The British, French, and Russian Governments mutually engage not to conclude peace separately during the present war. The three Governments agree that when terms of peace come to be discussed no one of the Allies will demand terms of peace without the previous agreement of each of the other Allies. In faith whereof the undersigned have signed this Declaration and have affixed thereto their seals.

Done at London in triplicate the 5th day of September, 1914.

E. GREY, his Britannic Majesty's Secretary of State for Foreign Affairs.

PAUL CAMBON, Ambassador Extraordinary and Plenipotentiary of the French Republic.

BENCKENDORFF, Ambassador Extraordinary and Plenipotentiary of his Majesty the Emperor of Russia.

SECTION II

FOUNDATIONS OF THE TRIPLE ALLIANCE

1. TREATY OF ALLIANCE BETWEEN GERMANY AND AUSTRIA. (VIENNA) OCTOBER 7, 1879.

In German. (*Nouveau Recueil*, 2me série, tome xv.)

CONSIDERING that Their Majesties the German Emperor, King of Prussia, and the Emperor of Austria, King of Hungary, must esteem it as their incontestable duty as sovereigns to take care in all circumstances for the security of their empires and for the tranquillity of their peoples ;

Considering that the two monarchs as in the previously existing confederation will be in a position, by a firm alliance of the two empires, to fulfil this duty more easily and more efficaciously ;

Considering, finally, that an intimate accord between Germany and Austria-Hungary can menace nobody, but is, on the contrary, qualified to consolidate the peace of Europe created by the stipulations of the Treaty of Berlin ;

Their Majesties the German Emperor and the Emperor of Austria, King of Hungary, promising one another never to give any aggressive tendency in any direction to their purely defensive agreement, have resolved to conclude an alliance of peace and reciprocal protection.

With this object Their Majesties have named as their plenipotentiaries ;

For His Majesty the German Emperor his Ambassador and Plenipotentiary Extraordinary, Lieutenant-General Prince Henry VII of Reuss, &c., &c.

For His Majesty the Emperor of Austria, King of Hungary, his Privy Counsellor the Minister of the Imperial Household and of Foreign Affairs, Field-Marshal-Lieutenant Julius, Count Andrassy, &c.

Who have come together to-day, at Vienna, and after having exchanged their powers duly recognized as good and sufficient, have concluded what follows :

ARTICLE I. If, contrary to expectation and against the sincere desire of both the High Contracting Parties, one of the two Empires shall be attacked on the part of Russia, the High Contracting Parties are bound to assist each other with the whole of the military power of their Empire, and consequently only to conclude peace conjointly and by agreement.

ARTICLE II. Should one of the High Contracting Parties be attacked by another Power, the other High Contracting Party hereby engages not only not to assist the aggressor against his High Ally, but at the least to observe a benevolent neutral attitude with regard to the High Contracting Party.

If, however, in such a case the attacking Power should be supported on the part of Russia, whether by way of active co-operation, or by military measures which menace the attacked Power, then the obligation of reciprocal assistance with full military power, which is stipulated in the first article of this Treaty will in this case enter immediately into effect, and the conduct of war of both the High Contracting Parties shall

be then also in common until the joint conclusion of Peace.

ARTICLE III. This Treaty, in conformity with its pacific character and to prevent any misconstruction, shall be kept secret by both High Contracting Parties, and it will be communicated to a Third Power only with the consent of both Parties, and strictly according to a special agreement.

Both High Contracting Parties, in view of the sentiments expressed by the Emperor Alexander at the interview at Alexandrowo,[1] hope that the preparations of Russia will not prove in reality to be a menace to them, and for this reason they have for the present no occasion for a communication. But if, contrary to expectation, this hope should prove a vain one, the two High Contracting Parties will recognize it as a loyal obligation, to inform the Emperor Alexander at least confidentially that they must consider an attack against one of them as directed against both.

In witness whereof, the Plenipotentiaries have signed this treaty with their own hand, and have affixed their seals.

Done at Vienna, the 7th October, 1879.

H. VII. P. REUSS. (L. S.) ANDRASSY. (L. S.)

[1] Sept. 3, 1879, in Posen. William I of Germany met Alexander II of Russia there, to try and allay the friction which existed between the two countries as a consequence of the Treaty of Berlin. The interview was cordial on both sides, but Bismarck was very dissatisfied with it. See P. Matter, *Bismarck* (1908), iii. 452–6; Busch, *Bismarck* (trans. 1898), iii. 257–66.

[2. ACCESSION OF ITALY TO ALLIANCE OF GERMANY AND AUSTRIA. MAY, 1882.]

3. CHARACTER OF THE TRIPLE ALLIANCE: STATEMENT OF MARQUIS DI SAN GIULIANO. AUGUST 1, 1914.

(*Blue Book, Great Britain*, 1914, pp. 75–6.)

SIR EDWARD GREY TO SIR F. BERTIE.

SIR,

On the 1st instant the French Ambassador made the following communication :—

'In reply to the German Government's intimation of the fact that ultimatums had been presented to France and Russia, and to the question as to what were the intentions of Italy, the Marquis di San Giuliano replied :—

'"The war undertaken by Austria, and the consequences which might result, had, in the words of the German Ambassador himself, an aggressive object. Both were therefore in conflict with the purely defensive character of the Triple Alliance, and in such circumstances Italy would remain neutral."'

In making this communication, M. Cambon was instructed to lay stress upon the Italian declaration that the present war was not a defensive but an aggressive war, and that, for this reason, the *casus foederis* under the terms of the Triple Alliance did not arise.

I am, &c.,

E. GREY.

SECTION III

ENGAGEMENTS OF THE MEMBERS OF THE TRIPLE ENTENTE

1. GREAT BRITAIN AND JAPAN

(1) Agreement between the United Kingdom and Japan. (London) August 12, 1905.

In English. (*Parliamentary Papers, Japan*, 1905.)

The Governments of Great Britain and Japan, being desirous of replacing the Agreement concluded between them on the 30th January, 1902, by fresh stipulations, have agreed upon the following Articles, which have for their object—

(*a*) The consolidation and maintenance of the general peace in the regions of Eastern Asia and of India ;

(*b*) The preservation of the common interests of all Powers in China by ensuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China ;

(*c*) The maintenance of the territorial rights of the High Contracting Parties in the regions of Eastern Asia and of India, and the defence of their special interests in the said regions :

Article I. It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this Agreement are in jeopardy, the two Governments will communicate with one another fully and frankly, and will consider

in common the measures which should be taken to safeguard those menaced rights or interests.

ARTICLE II. If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any other Power or Powers, either Contracting Party should be involved in war in defence of its territorial rights or special interests mentioned in the preamble of this Agreement, the other Contracting Party will at once come to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it.

ARTICLE III. Japan possessing paramount political, military, and economic interests in Corea, Great Britain recognizes the right of Japan to take such measures of guidance, control, and protection in Corea as she may deem proper and necessary to safeguard and advance those interests, provided always that such measures are not contrary to the principle of equal opportunities for the commerce and industry of all nations.

ARTICLE IV. Great Britain having a special interest in all that concerns the security of the Indian frontier, Japan recognizes her right to take such measures in the proximity of that frontier as she may find necessary for safeguarding her Indian possessions.

ARTICLE V. The High Contracting Parties agree that neither of them will, without consulting the other, enter into separate arrangements with another Power to the prejudice of the objects described in the preamble of this Agreement.

ARTICLE VI. As regards the present war between Japan and Russia, Great Britain will continue to maintain strict neutrality unless some other Power or Powers should join in hostilities against Japan, in which case Great Britain will come to the assistance of Japan, and

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will conduct the war in common, and make peace in mutual agreement with Japan.

ARTICLE VII. The conditions under which armed assistance shall be afforded by either Power to the other in the circumstances mentioned in the present Agreement, and the means by which such assistance is to be made available, will be arranged by the Naval and Military authorities of the Contracting Parties, who will from time to time consult one another fully and freely upon all questions of mutual interest.

ARTICLE VIII. The present Agreement shall, subject to the provisions of Article VI, come into effect immediately after the date of its signature, and remain in force for ten years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, *ipso facto*, continue until peace is concluded.

(2) RESCRIPT BY THE EMPEROR OF JAPAN. AUGUST 22, 1914.

(*The Times*, August 24, 1914.)

WE, by the Grace of Heaven, Emperor of Japan, on the throne occupied by the same Dynasty from time immemorial, do hereby make the following proclamation to all Our loyal and brave subjects :

We, hereby, declare war against Germany and We command Our Army and Navy to carry on hostilities

against that Empire with all their strength, and We also command all Our competent authorities to make every effort in pursuance of their respective duties to attain the national aim within the limit of the law of nations.

Since the outbreak of the present war in Europe, the calamitous effect of which We view with grave concern, We, on our part, have entertained hopes of preserving the peace of the Far East by the maintenance of strict neutrality, but the action of Germany has at length compelled Great Britain, Our Ally, to open hostilities against that country, and Germany is at Kiaochau, its leased territory in China, busy with warlike preparations, while her armed vessels, cruising the seas of Eastern Asia, are threatening Our Commerce and that of Our Ally. The peace of the Far East is thus in jeopardy.

Accordingly, Our Government, and that of His Britannic Majesty, after a full and frank communication with each other, agreed to take such measures as may be necessary for the protection of the general interests contemplated in the Agreement of Alliance, and We on Our part, being desirous to attain that object by peaceful means, commanded Our Government to offer, with sincerity, an advice to the Imperial German Government. By the last day appointed for the purpose, however, Our Government failed to receive an answer accepting their advice.

It is with profound regret that We, in spite of Our ardent devotion to the cause of peace, are thus compelled to declare war, especially at this early period of Our reign and while we are still in mourning for Our lamented Mother.

It is Our earnest wish that, by the loyalty and valour of Our faithful subjects, peace may soon be restored and the glory of the Empire be enhanced.

2. RUSSIA AND JAPAN

(1) Treaty of Peace between Japan and Russia. (Portsmouth) August 23/September 5, 1905.

In French. (*Nouveau Recueil*, 2me série, tome xxxiii, p. 3.)

Article I. There shall henceforth be peace and amity between Their Majesties the Emperor of Japan and the Emperor of All the Russias and between their respective States and subjects.

Article II. The Imperial Russian Government, acknowledging that Japan possesses in Korea paramount political, military, and economical interests, engage neither to obstruct nor interfere with the measures of guidance, protection and control which the Imperial Government of Japan may find it necessary to take in Korea.

It is understood that Russian subjects in Korea shall be treated exactly in the same manner as the subjects or citizens of other foreign Powers; that is to say, they shall be placed on the same footing as the subjects or citizens of the most favoured nation.

It is also agreed that, in order to avoid all cause of misunderstanding, the two High Contracting Parties will abstain, on the Russo-Korean frontier, from taking any military measure which may menace the security of Russian or Korean territory.

Article III. Japan and Russia mutually engage:

1. To evacuate completely and simultaneously Manchuria except the territory affected by the lease of the Liao-Tung Peninsula, in conformity with the provisions of Additional Article I annexed to this one, &c.

2. To restore entirely and completely to the exclusive administration of China all portions of Manchuria now

in occupation or under the control of the Japanese or Russian troops, with the exception of the territory above mentioned.

The Imperial Government of Russia declare that they have not in Manchuria any territorial advantages or preferential or exclusive concessions in impairment of Chinese sovereignty or inconsistent with the principle of equal opportunity.

ARTICLE IV. Japan and Russia reciprocally engage not to obstruct any general measures common to all countries, which China may take for the development of the commerce and industry of Manchuria.

ARTICLE V. The Imperial Russian Government transfer and assign to the Imperial Government of Japan, with the consent of the Government of China, the lease of Port Arthur, Talien and adjacent territory and territorial waters and all rights, privileges and concessions connected with or forming part of such lease, and they also transfer and assign to the Imperial Government of Japan all public works and properties in the territory affected by the above-mentioned lease.

The two High Contracting Parties mutually engage to obtain the consent of the Chinese Government mentioned in the foregoing stipulation.

ARTICLE VI. The Imperial Russian Government engage to transfer and assign to the Imperial Government of Japan, without compensation and with the consent of the Chinese Government, the railway between Chan-chun (Kuan-cheng-tzu) and Port Arthur and all its branches, together with all rights, privileges and properties appertaining thereto in that region, as well as all coal mines, in the said region belonging to or worked for the benefit of the railway.

The two High Contracting Parties mutually engage

to obtain the consent of the Government of China, mentioned in the foregoing stipulation.

ARTICLE VII. Japan and Russia engage to exploit their respective railways in Manchuria exclusively for commercial and industrial purposes and in no wise for strategical purposes.

It is understood that that restriction does not apply to the railway in the territory affected by the lease of the Liao-Tung Peninsula.

ARTICLE VIII. The Imperial Governments of Japan and Russia, with a view to promote and facilitate intercourse and traffic, will as soon as possible conclude a separate convention for the regulation of their connecting railway services in Manchuria.

ARTICLE IX. The Imperial Russian Government cede to the Imperial Government of Japan in perpetuity and full sovereignty, the southern portion of the Island of Saghalien and all islands adjacent thereto, and all public works and properties thereon. The fiftieth degree of north latitude is adopted as the northern boundary of the ceded territory. The exact alinement of such territory shall be determined in accordance with the provisions of additional Article II annexed to this Treaty.

Japan and Russia mutually agree not to construct in their respective possessions on the Island of Saghalien or the adjacent islands, any fortifications or other similar military works. They also respectively engage not to take any military measures which may impede the free navigation of the Straits of La Perouse and Tartary.

ARTICLE X. It is reserved to the Russian subjects inhabitants of the territory ceded to sell their real property and retire to their country; but if they prefer to remain in the ceded territory, they will be maintained

and protected in the full exercise of their industries and rights of property, on condition of submitting to Japanese laws and jurisdiction. Japan shall have full liberty to withdraw the right of residence in, or to deport from such territory, any inhabitants who labour under political or administrative disability. She engages, however, that the proprietary rights of such inhabitants shall be fully respected.

ARTICLE XI. Russia engages to arrange with Japan for granting to Japanese subjects rights of fishing along the coasts of the Russian possessions in the Japan, Okhotsk, and Behring Seas.

It is agreed that the foregoing engagement shall not affect rights already belonging to Russian or foreign subjects in those regions.

ARTICLE XII. The Treaty of Commerce and Navigation between Japan and Russia having been annulled by the war, the Imperial Governments of Japan and Russia engage to adopt as the basis of their commercial relations, pending the conclusion of a new treaty of commerce and navigation on the basis of the Treaty which was in force previous to the present war, the system of reciprocal treatment on the footing of the most favoured nation, in which are included import and export duties, customs formalities, transit and tonnage dues, and the admission and treatment of the agents, subjects, and vessels of one country, in the territories of the other.

ARTICLE XIII. As soon as possible after the present Treaty comes into force, all prisoners of war shall be reciprocally restored. The Imperial Governments of Japan and Russia shall each appoint a Special Commissioner to take charge of prisoners. All prisoners in the hands of one Government shall be delivered to and received by the Commissioner of the other Government

or by his duly authorized representative, in such convenient numbers and at such convenient ports of the delivering State as such delivering State shall notify in advance to the Commissioner of the receiving State.

The Governments of Japan and Russia shall present to each other, as soon as possible after the delivery of prisoners has been completed, a statement of the direct expenditures respectively incurred by them for the care and maintenance of prisoners from the date of capture or surrender up to the time of death or delivery. Russia engages to repay to Japan as soon as possible after the exchange of the statements as above provided, the difference between the actual amount so expended by Japan and the actual amount similarly disbursed by Russia.

(2) Agreement between Russia and Japan respecting China. (St. Petersburg) July 17/30, 1907.

In French. (*Nouveau Recueil*, 3me série, tome i, p. 7.)

The Government of His Majesty the Emperor of Japan, and the Government of His Majesty the Emperor of All the Russias, desirous of consolidating the peaceful and neighbourly relations which have been happily re-established between Japan and Russia, and wishing to avoid for the future every cause of misunderstanding in the relations of the two empires, have agreed to the following clauses :

Article I. Each of the High Contracting Parties pledges itself to respect the actual territorial integrity of the other and all the rights accruing to each Party from the treaties, conventions, and contracts in force between them and China, copies of which have been exchanged by the contracting Parties (in so far as these

rights are not incompatible with the principle of equal opportunity), from the Treaty signed at Portsmouth on August 23rd/September 5th, 1905, as well as from the special conventions concluded between Japan and Russia.

ARTICLE II. The High Contracting Parties recognize the independence and territorial integrity of China and the principle of equal opportunity as regards the commerce and industries of all the nations in that Empire, and pledge themselves to uphold and defend the maintenance of the *status quo* and the respect of that principle by all the pacific means at their disposal.

(3) AGREEMENT BETWEEN RUSSIA AND JAPAN RESPECTING THE *STATUS QUO* IN MANCHURIA. (ST. PETERSBURG) JUNE 21/JULY 4, 1910.

In English. (*Nouveau Receuil*, III Série, iii, p. 753.)

THE Imperial Government of Japan and the Imperial Government of Russia, sincerely attached to the principles established by the Convention concluded between them on July 17/30, 1907, and desirous to develop the effects of that Convention with a view to the consolidation of peace in the Extreme East, have agreed to complete the said Arrangement by the following provisions:

ARTICLE I. With the object of facilitating communications developing the commerce of nations, the two High Contracting Parties mutually engage to lend to each other their friendly co-operation with a view to the amelioration of their respective railway lines in Manchuria and the improvement of the connecting service of the said railways, and to abstain from all competition prejudicial to the realization of this object.

ARTICLE II. Each of the High Contracting Parties engages to maintain and respect the *status quo* in Manchuria resulting from the treaties, conventions or other agreements concluded up to this day, between Japan and Russia, or between either of these two Powers and China. Copies of the aforesaid arrangements have been exchanged between Japan and Russia.

ARTICLE III. In case any event arises of a nature to menace the *status quo* above-mentioned, the two High Contracting Parties shall, in each case, enter into communication with each other, in order to arrive at an understanding as to the measures they may judge it necessary to take for the maintenance of the said *status quo*.

3. GREAT BRITAIN AND PORTUGAL

TREATY OF ALLIANCE BETWEEN GREAT BRITAIN AND PORTUGAL. (WHITEHALL) JUNE 23, 1661.

In English. (Chalmers, *Collection of Treaties* (1790), ii. 286.)

ARTICLES I–XIV. *Confirmation of Treaties since* 1641, *Marriage Contract, and cession of Tangier and Bombay to England.*

ARTICLE XV. In consideration of all which grants and Privileges, so much to the Benefit of the King of Great Britain and his Subjects in general, and of the delivery of those important Places to His said Majesty and His Heirs for ever, whereby the greatness of his Empire is so far extended; and even in consideration of the portion itself, which far exceeds the proportion that hath ever yet been given to any Daughter of Portugal; the King of Great Britain doth profess and declare, with the consent and advice of his Council, that he will take

the interest of Portugal and all its Dominions to heart, defending the same with his utmost power by sea and land, even as England itself; and that he will transport thither, at his proper costs and charges, two Regiments of Horse, each Regiment consisting of 500, and two Regiments of Foot, each consisting of 1,000, all which shall be armed at the charge of the King of Great Britain; but after they are landed in Portugal, shall be paid by the King of Portugal; and in case the said Regiments come to be diminished by fight, or otherwise, the King of Great Britain shall be obliged to fill up the number at his own charge; and that he shall cause the said Regiments to be transported as soon as the Lady Infanta shall arrive in England, if it be so desired by the King of Portugal.

Article XVI. The King of Great Britain doth also promise, with the advice and consent of his Council, that when and so often as Portugal shall be invaded, he will send thither (being thereunto desired by the King of Portugal) 10 good Ships of War; but when, and so often as it shall be infested by Pirates, 3 or 4 Ships; all sufficiently manned, and victualled for 8 months, from the time of their setting sail from England, to obey the orders of the King of Portugal. And if it shall be required that they stay above 6 months there, the King of Portugal shall be obliged to victual them for so long a time as they are to stay; and to put in one month's victuals at the time they are to set sail for England: but if the King of Portugal shall be pressed in any extraordinary manner by the power of the Enemies, all the King of Great Britain's Ships, which shall at any time be in the Mediterranean Sea, or at Tangier, shall have Instructions, in such cases, to obey any Orders they shall receive from the King of Portugal, and shall betake

themselves to his succour and relief. And in regard of the above-mentioned concessions, and grants of the King of Portugal, His Majesty of Great Britain, his Heirs and Successors, shall not at any time require any thing for these succours.

ARTICLE XVII. Besides the Levies the King of Portugal hath liberty to make by virtue of past Treaties, the King of Great Britain, doth oblige himself by this present Treaty, that in case Lisbon, Porto, or any other Sea Town, shall be besieged or blocked up by the power of Castile, or any other Enemy, he will afford timely assistance of Men and Shipping, according to the exigence of the circumstances, and proportionable to the necessity of the King of Portugal.

SECTION IV

DOCUMENTS RELATING TO INTERNATIONAL GUARANTEES

1. AGREEMENTS RESPECTING BELGIUM

(1) Treaty between Great Britain, Austria, France, Prussia, and Russia, on the one part, and the Netherlands on the other. (London) April 19, 1839

In French. (Hertslet, ii, No. 183.)

Article I. His Majesty the King of the Netherlands, Grand Duke of Luxemburg, engages to cause to be immediately converted into a Treaty with His Majesty the King of the Belgians, the Articles annexed to the present Act, and agreed upon by common consent, under the auspices of the Courts of Great Britain, Austria, France, Prussia, and Russia.

Article II. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the King of the French, His Majesty the King of Prussia, and His Majesty the Emperor of All the Russias, declare that the Articles mentioned in the preceding Article, are considered as having the same force and validity as if they were textually inserted in the present Act, and that they are thus placed under the guarantee of their said Majesties.

Article III. The Union which has existed between Holland and Belgium, in virtue of the Treaty of Vienna

of the 31st of May, 1815, is acknowledged by His Majesty the King of the Netherlands, Grand Duke of Luxemburg, to be dissolved.

ANNEX

ARTICLE I. The Belgian Territory shall be composed of the Provinces of—

South Brabant;
Liege;
Namur;
Hainault;
West Flanders;
East Flanders;
Antwerp; and
Limburg;

such as they formed part of the United Kingdom of the Netherlands constituted in 1815, with the exception of those Districts of the Province of Limburg which are designated in Article IV.

The Belgian Territory shall, moreover, comprise that part of the Grand Duchy of Luxemburg which is specified in Article II.

ARTICLE II. *Limits of Belgian Luxemburg.*

ARTICLE III. In return for the cessions made in the preceding Article, there shall be assigned to His Majesty the King of the Netherlands, Grand Duke of Luxemburg, a Territorial Indemnity in the Province of Limburg.

ARTICLES IV–VI. *Limits of the Dutch Territory in Limburg.*

ARTICLE VII. Belgium, within the limits specified in Articles I, II, and IV, shall form an Independent and perpetually Neutral State. It shall be bound to observe such Neutrality towards all other States.

ARTICLES VIII–XIII. *Scheldt tolls, &c.*

ARTICLE XIV. The Port of Antwerp, in conformity with the stipulations of Article XV of the Treaty of Paris, of the 30th of May 1814, shall continue to be solely a Port of Commerce.

(ARTICLES XV–XXIV. *Property in Public Works, Rights of Individuals, &c.*)

(2) TREATY BETWEEN GREAT BRITAIN AND PRUSSIA, RELATIVE TO THE INDEPENDENCE AND NEUTRALITY OF BELGIUM. (LONDON) AUGUST 9, 1870.

(Hertslet, iii, No. 427.)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, being desirous at the present time of recording in a solemn Act their fixed determination to maintain the Independence and Neutrality of Belgium, as provided in Article VII of the Treaty signed at London on the 19th April, 1839, between Belgium and the Netherlands, which Article was declared by the Quintuple Treaty of 1839 to be considered as having the same force and value as if textually inserted in the said Quintuple Treaty, their said Majesties have determined to conclude between themselves a separate Treaty, which, without impairing or invalidating the conditions of the said Quintuple Treaty, shall be subsidiary and accessory to it; and they have accordingly named as their Plenipotentiaries for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Granville George Earl Granville, Lord Leveson, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the King of Prussia, his Excellency the Minister of State, Albert Count of Bernstorff-Stintenburg, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty from His said Majesty for the North German Confederation, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

ARTICLE I. His Majesty the King of Prussia having declared that notwithstanding the Hostilities in which the North German Confederation is engaged with France, it is his fixed determination to respect the Neutrality of Belgium, so long as the same shall be respected by France, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland on her part declares that, if during the said Hostilities the Armies of France should violate that Neutrality, she will be prepared to co-operate with His Prussian Majesty for the defence of the same in such manner as may be mutually agreed upon, employing for that purpose her Naval and Military Forces to insure its observance, and to maintain, in conjunction with His Prussian Majesty, then and thereafter, the Independence and Neutrality of Belgium.

It is clearly understood that Her Majesty the Queen of the United Kingdom of Great Britain and Ireland does not engage herself by this Treaty to take part in any of the general operations of the War now carried on between the North German Confederation and France, beyond the Limits of Belgium, as defined in the Treaty between Belgium and the Netherlands of 19th April, 1839.

ARTICLE II. His Majesty the King of Prussia agrees on his part, in the event provided for in the foregoing Article, to co-operate with Her Majesty the Queen of

the United Kingdom of Great Britain and Ireland, employing his Naval and Military Forces for the purpose aforesaid; and, the case arising, to concert with Her Majesty the measures which shall be taken, separately or in common, to secure the Neutrality and Independence of Belgium.

ARTICLE III. This Treaty shall be binding on the High Contracting Parties during the continuance of the present War between the North German Confederation and France, and for 12 months after the Ratification of any Treaty of Peace concluded between those Parties; and on the expiration of that time the Independence and Neutrality of Belgium will, so far as the High Contracting Parties are respectively concerned, continue to rest as heretofore on Article I of the Quintuple Treaty of the 19th April, 1839.

2. AGREEMENTS RESPECTING LUXEMBURG

(1) TREATY BETWEEN GREAT BRITAIN, AUSTRIA, BELGIUM, FRANCE, ITALY, THE NETHERLANDS, PRUSSIA, AND RUSSIA, RELATIVE TO THE GRAND DUCHY OF LUXEMBURG, AND THE DUCHY OF LIMBURG (LONDON), MAY 11, 1867.

In French. (Hertslet, iii, No. 405.)

ARTICLE I. His Majesty the King of the Netherlands, Grand Duke of Luxemburg, maintains the ties which attach the said Grand Duchy to the House of Orange-Nassau, in virtue of the Treaties which placed that State under the Sovereignty of the King Grand Duke, his descendants and successors.

The Rights which the Agnates of the House of Nassau possess with regard to the Succession of the Grand

Duchy, in virtue of the same Treaties, are maintained.

The High Contracting Parties accept the present Declaration, and place it upon record.

ARTICLE II. The Grand Duchy of Luxemburg, within the Limits determined by the Act annexed to the Treaties of the 19th April, 1839, under the Guarantee of the Courts, of Great Britain, Austria, France, Prussia, and Russia, shall henceforth form a perpetually Neutral State.

It shall be bound to observe the same Neutrality towards all other States.

The High Contracting Parties engage to respect the principle of Neutrality stipulated by the present Article.

That principle is and remains placed under the sanction of the collective Guarantee of the Powers signing Parties to the present Treaty, with the exception of Belgium, which is itself a Neutral State.

ARTICLE III. The Grand Duchy of Luxemburg being Neutralized, according to the terms of the preceding Article, the maintenance or establishment of Fortresses upon its Territory becomes without necessity as well as without object.

In consequence, it is agreed by common consent that the City of Luxemburg, considered in time past, in a military point of view, as a Federal Fortress, shall cease to be a fortified city.

His Majesty the King Grand Duke reserves to himself to maintain in that city the number of troops necessary to provide in it for the maintenance of good order.

ARTICLE IV. In conformity with the stipulations contained in Articles II and III, His Majesty the King of Prussia declares that his troops actually in garrison in the Fortress of Luxemburg shall receive orders to

proceed to the Evacuation of that place immediately after the exchange of the Ratifications of the present Treaty. The withdrawal of the artillery, munitions, and every object which forms part of the equipment of the said Fortress shall commence simultaneously. During that operation there shall remain in it no more than the number of troops necessary to provide for the safety of the material of war, and to effect the dispatch thereof, which shall be completed within the shortest time possible.

ARTICLE V. His Majesty the King Grand Duke, in virtue of the rights of Sovereignty which he exercises over the City and Fortress of Luxemburg, engages, on his part, to take the necessary measures for converting the said Fortress into an open city by means of a demolition which His Majesty shall deem sufficient to fulfil the intentions of the High Contracting Parties expressed in Article III of the present Treaty. The works requisite for that purpose shall be commenced immediately after the withdrawal of the garrison. They shall be carried out with all the attention required for the interests of the inhabitants of the city.

His Majesty the King Grand Duke promises, moreover, that the Fortifications of the city of Luxemburg shall not be restored in future, and that no Military Establishment shall be there maintained or created.

ARTICLE VI. The Powers signing Parties to the present Treaty recognize that the Dissolution of the Germanic Confederation having equally produced the Dissolution of the ties which united the Duchy of Limburg, collectively with the Grand Duchy of Luxemburg, to the said Confederation, it results therefrom that the relations, of which mention is made in Articles III, IV, and V of the Treaty of the 19th April, 1839, between the Grand

Duchy and certain Territories belonging to the Duchy of Limburg, have ceased to exist, the said Territories continuing to form an integral part of the Kingdom of the Netherlands.

(2) EXCHANGE OF VIEWS BETWEEN PRUSSIA AND GREAT BRITAIN RESPECTING THE OBSERVATION OF THE NEUTRALITY OF LUXEMBURG. DECEMBER 1870–FEBRUARY 1871.

(*Parliamentary Papers, Luxemburg*, 1871.)

A. Count Bismarck to Count Bernstorff.

Versailles, December 3, 1870.

AT the outbreak of the War the Government of His Majesty the King declared that it would respect the Neutrality of the Grand Duchy of Luxemburg, on the presumption that it would also be respected on the part of the French, and as a matter of course would be maintained with earnestness and goodwill by the Grand Duchy itself.

The Royal Government has faithfully observed that promise, and has gone so far in its consideration that it has subjected itself to all the inconveniences in regard to the Transport of its wounded which the protest of the French Government against the Transport of wounded men through Luxemburg Territory, proposed in the interest of humanity, imposed on it.

To its deep regret, however, neither on the part of France nor on that of Luxemburg have the proceedings corresponded with the presumptions that were entertained.

A number of cases wherein a hostile disposition of part of the population went so far as even the actual ill-treatment of German Officials there, may be left

unmentioned, so as not to make the Grand Ducal Government responsible for the offences of Individuals, who certainly deserved a stricter repression than they appear to have met with.

A striking instance of violation of Neutrality occurred in the provisioning of Thionville by Railway Trains at night from Luxemburg, so long as the fortress remained in the hands of the French.

The Grand Ducal Government expressed its regret thereupon, and could not but admit the fact; it is proved beyond doubt that the dispatch of those Railway Trains to Thionville could not have taken place without the connivance of the Grand Ducal Police and railway Officials. The Royal Government addressed its complaint to the Grand Ducal Government on that occasion, and drew its attention to the consequences which must necessarily ensue from such conduct.

That warning has, unfortunately, not been attended to. On the contrary, the violation of the Neutrality has lately extended so far that it is impossible for the Royal Government to overlook it.

After the surrender of Metz there was a transit of French Soldiers and Officers in masses through the Grand Duchy, for the purpose of entering France again, by evading the German posts.

The French Vice-Consul residing in Luxemburg has established a regular Office at the railway Station there, where the Fugitives have been provided with Means and Vouchers to enable them to continue their march into France to enter the Army of the North.

The Number of Combatants added to the French Forces in this manner amounts, according to the statements before us, to more than 2,000 men.

No measures have been taken against this on the part

of the Grand Ducal Government; the French Soldiers have neither been sent into the Interior nor prevented from returning to France with the notorious intention of taking part in the War against Germany. No difficulties have been put in the way of the French Vice-Consul in his just as notorious conduct in contempt of the Neutrality of Luxemburg.

That there is a flagrant violation of the Neutrality of the Grand Duchy in the transit through it for the purpose of entering the Active French Forces, in the official furtherance thereof by the Functionary of the French Government, in the toleration of such conduct by the Grand Ducal Government, there can be no doubt. Therefore, the premises with which the Royal Government was obliged to connect the Neutrality of the Grand Duchy no longer exist.

In consequence of this, I have to request your Excellency, by command of His Majesty, to inform the Government where you are, as one of the Signatories of the Treaty of 11th May, 1867, that the Royal Government can no longer consider itself bound by any consideration of the Neutrality of the Grand Duchy, in the Military Operations of the German Army, and in the measures for the security of the German Troops against the injuries inflicted on them from Luxemburg.

At the same time the Government of His Majesty the King reserves to itself the prosecution of its claims against the Grand Duchy of Luxemburg for the damages done to it through the Non-maintenance of the Neutrality.

I respectfully request your Excellency to read this dispatch to the Minister for Foreign Affairs, and to leave a copy of it with him.

Receive, &c.,

BISMARCK.

B. Count Bismarck to Count Bernstorff.

Versailles, January 20, 1871.

HEREWITH I send your Excellency copy of a dispatch dated 7th January instant, addressed by Lord Granville to Mr. Odo Russell, and communicated by the latter to me, in answer to my dispatch to your Excellency of the 24th ultimo.

It affords me satisfaction to see that Lord Granville acknowledges that our dispatch of the 3rd December last is not founded on any intention of denouncing the Treaty of 1867, and that it relates only to military measures of defence against the injuries arising from the violation of the neutrality, which measures, as the Royal British Secretary of State admits, may be justified by the state of affairs.

Under these circumstances I quite agree with Lord Granville that in the particular case the question only depends on the actual state of affairs, and further discussion would be superfluous.

I request your Excellency to tell the Royal British Secretary of State this, and to express my thanks for his communication.

(Signed) VON BISMARCK.

C. Earl Granville to Lord A. Loftus.

Foreign Office, February 8, 1871.

MY LORD,

Count Bernstorff stated to me to-day that he had been instructed by Count Bismarck to express to me the satisfaction with which he had learnt that Her Majesty's Government were convinced that it was not his intention, in his Circular of the 3rd of December last, to denounce the Treaty of 1867, by which the

position of Luxemburg was defined and secured, but that he had merely been actuated by the desire to take precautionary measures of defence, necessitated by the military position, against military injury to the Prussian cause from violation of the neutrality of the territory of Luxemburg. He alluded to my admission that an emergency might possibly arise which might justify, in some degree, the adoption of such measures; expressed his concurrence in the view that any such emergency must be judged upon its merits, and added that further discussion would be superfluous.

I am, &c.,
(Signed) GRANVILLE.

3. AGREEMENTS RESPECTING SWITZERLAND

(1) ACT SIGNED BY AUSTRIA, FRANCE, GREAT BRITAIN, PRUSSIA, AND RUSSIA, FOR THE ACKNOWLEDGEMENT AND GUARANTEE OF THE PERPETUAL NEUTRALITY OF SWITZERLAND, AND THE INVIOLABILITY OF ITS TERRITORY. (PARIS) NOVEMBER 20, 1815.

In French. (Hertslet, i, No. 43.)

THE Accession of Switzerland to the Declaration published at Vienna the 20th March, 1815, by the Powers who signed the Treaty of Paris, having been duly notified to the Ministers of the Imperial and Royal Courts, by the Act of the Helvetic Diet on the 27th of the month of May following, there remained nothing to prevent the Act of Acknowledgement and Guarantee of the perpetual Neutrality of Switzerland from being made conformably to the above-mentioned Declaration. But the Powers deemed it expedient to suspend till this day the signature of that Act, in consequence of the changes which the events of the war, and the arrangements which

might result from it might possibly occasion in the limits of Switzerland, and in respect also to the modifications resulting therefrom, in the arrangements relative to the federated territory, for the benefit of the Helvetic Body.

These changes being fixed by the stipulations of the Treaty of Paris signed this day, the Powers who signed the Declaration of Vienna of the 20th March declare, by this present Act, their formal and authentic Acknowledgement of the perpetual Neutrality of Switzerland; and they Guarantee to that country the Integrity and Inviolability of its Territory in its new limits, such as they are fixed, as well by the Act of the Congress of Vienna as by the Treaty of Paris of this day, and such as they will be hereafter; *conformably to the Arrangement of the Protocol of the 3rd November, extract of which is hereto annexed, which stipulates in favour of the Helvetic Body a new increase of Territory, to be taken from Savoy, in order to disengage from Enclaves, and complete the circle of the Canton of Geneva.*

The Powers acknowledge likewise and guarantee Neutrality of those parts of Savoy designated by the Act of the Congress of Vienna of the 20th May, 1815, and by the Treaty of Paris signed this day, the same being entitled to participate in the Neutrality of Switzerland, equally as if they belonged to that country.

The Powers who signed the Declaration of the 20th of March acknowledge, in the most formal manner, by the present Act, that the Neutrality and Inviolability of Switzerland, and her Independence of all foreign influence, enter into the true interests of the policy of the whole of Europe.

They declare that no consequence unfavourable to the rights of Switzerland with respect to its Neutrality and the Inviolability of its Territory can or ought to be

drawn from the events which led to the passage of the Allied Troops across a part of the Helvetic States. This passage, freely consented to by the Cantons in the Convention of the 20th May, was the necessary result of the free adherence of Switzerland to the principles manifested by the Powers who signed the Treaty of Alliance of the 25th March.

The Powers acknowledge with satisfaction that the conduct of Switzerland under these trying circumstances has shown that she knew how to make great sacrifices to the general good, and to the support of a cause which all the Powers of Europe defended, and that, in fine, Switzerland has deserved the advantages which have been secured to her, whether by the Arrangements of the Congress of Vienna, by the Treaty of Paris of this day, or by the present Act, to which all the Powers of Europe are invited to accede.

(2) Military Convention between France and Switzerland, for the Reception and Entrance of a French Army into Switzerland (Verrières) February 1, 1871.

In French. (Hertslet, iii, No. 435.)

Between General Herzog, General-in-Chief of the Army of the Swiss Confederation, and General of Division Clinchant, General-in-Chief of the First French Army, the following Conventions have been agreed upon:

Article I. The French Army requesting permission to cross over into Swiss Territory, shall lay down their Arms, Equipments, and Munitions, on their Passage.

Article II. Those Arms, Equipments, and Munitions shall be restored to France after the Peace, and after the Definitive Settlement of the Expenses incurred by Switzerland during the residence of French Troops.

ARTICLE III. The same shall be observed with reference to the Artillery Material and Munitions.

ARTICLE IV. Horses, Arms, and Effects of Officers shall be left at their disposal.

ARTICLE V. Subsequent Dispositions shall be taken with reference to Troopers' Horses.

ARTICLE VI. Baggage and Provision Wagons, after having discharged their contents, shall immediately return to France.

ARTICLE VII. The Treasury and Postal Wagons shall be, with the whole of their contents, delivered over to the Helvetic Confederation, to be accounted for on the Settlement of the Expenses.

ARTICLE VIII. The execution of these Arrangements shall take place in the presence of French and Swiss Officers appointed for that purpose.

ARTICLE IX. The Confederation reserves to itself the appointment of Places of Residence in the Interior for the Officers and Men.

ARTICLE X. The Federal Council will direct the Details necessary for the completion of the present Convention.

4. AGREEMENTS RELATING TO THE NORTH OF EUROPE

(1) AGREEMENT BETWEEN GERMANY, DENMARK, RUSSIA, AND SWEDEN, FOR THE *STATUS QUO* IN THE BALTIC. (ST. PETERSBURG) APRIL 23, 1908.

In French. (*Nouveau Recueil*, III Série, i. 18.)

HIS Majesty the Emperor of Germany, King of Prussia, His Majesty the King of Denmark, His Majesty the Emperor of Russia, and His Majesty the King of Sweden, being animated by the desire to consolidate

the bonds of neighbourliness and friendship which exist between their respective states and to contribute thereby to the maintenance of a general peace, and recognizing that their policy in relation to those regions which border on the Baltic Sea has for its object the maintenance of the actual territorial *status quo*, their Governments declare that they are firmly resolved to maintain intact the rights of the Emperor of Germany, King of Prussia, of the King of Denmark, of the Emperor of Russia, and of the King of Sweden in all that concerns their continental or insular possessions in the aforesaid regions. In the case of the actual territorial *status quo* in the regions which border on the Baltic Sea being menaced by any events whatsoever, the four Powers signing the present Declaration would enter into communication with one another in order to come to an understanding as to the measures they should conceive it useful to take in the interests of the maintenance of the *status quo*.

(2) Declaration by the Governments of Great Britain, Denmark, France, Germany, the Netherlands, and Sweden, for the *status quo* in the North Sea. (Berlin) April 23, 1908.

(*Parliamentary Papers*, 1908.)

The British, Danish, French, German, Netherland, and Swedish Governments:

Animated by the desire to strengthen the ties of neighbourly friendship existing between their respective countries, and to contribute thereby to the preservation of universal peace, and recognizing that their policy with respect to the regions bordering on the North Sea is directed to the maintenance of the existing territorial *status quo*,

Declare that they are firmly resolved to preserve intact, and mutually to respect, the sovereign rights which their countries at present enjoy over their respective territories in those regions.

Should any events occur which, in the opinion of any of the above-mentioned Governments, threaten the existing territorial *status quo* in the regions bordering upon the North Sea, the Powers Signatory of the present Declaration will communicate with each other in order to concert, by an agreement to be arrived at between them, such measures as they may consider it useful to take in the interest of the maintenance of the *status quo* as regards their possessions.

Done at Berlin the 23rd April, 1908.

(L.S.) FRANK C. LASCELLES.
(L.S.) SCHOEN.
(L.S.) HEGERMANN-LINDENCRONE.
(L.S.) JULES CAMBON.
(L.S.) GEVERS.
(L.S.) TAUBE.

Memorandum. At the moment of signing the Declaration of this day's date, the Undersigned, by order of their respective Governments, consider it necessary to state :

1. That the principle of the maintenance of the *status quo*, as laid down by the said Declaration, applies solely to the territorial integrity of all the existing possessions of the High Contracting Parties, in the regions bordering upon the North Sea, and that consequently the Declaration can in no case be invoked where the free exercise of the sovereign rights of the High Contracting Parties over their above-mentioned respective possessions is in question.

2. That for the purpose of the said Declaration the North Sea shall be considered to extend eastwards as far as its junction with the waters of the Baltic.

Done at Berlin, the 23rd April, 1908.

Ratifications deposited at Berlin July 2, 1908.

5. AGREEMENTS RESPECTING POLAND.

(1) Treaty between Great Britain, Austria, France, Portugal, Prussia, Russia, Spain, and Sweden (Vienna) June 9, 1815.

In French. (Hertslet, i, No. 27.)

Article I. The Duchy of Warsaw, with the exception of the provinces and districts which are otherwise disposed of by the following Articles, is united to the Russian Empire. It shall be irrevocably attached to it by its Constitution, and be possessed by His Majesty the Emperor of All the Russias, his heirs and successors in perpetuity. His Imperial Majesty reserves to himself to give to this State, enjoying a distinct administration, the interior improvement which he shall judge proper. He shall assume with his other titles that of Czar, King of Poland, agreeably to the form established for the titles attached to his other possessions.

The Poles, who are respective subjects of Russia, Austria, and Prussia, shall obtain a Representation and National Institutions, regulated according to the degree of political consideration, that each of the Governments to which they belong shall judge expedient and proper to grant them.

Article II. The part of the Duchy of Warsaw which His Majesty the King of Prussia shall possess in full sovereignty and property, for himself, his heirs, and

successors, under the title of the Grand Duchy of Posen, shall be comprised within the following line :—

(*Here follow the limits of Prussian territory.*)

ARTICLE VI. The Town of Cracow, with its Territory, is declared to be for ever a Free, Independent, and strictly Neutral City, under the protection of Austria, Russia, and Prussia.

ARTICLE VII. The territory of the Free Town of Cracow shall have for its frontier upon the left bank of the Vistula a line, which, beginning at the spot near the village of Woliça, where a stream falls into the Vistula, shall ascend this stream by Clo and Koscielniki as far as Czulice, so that these villages may be included in the district of the Free Town of Cracow; from thence passing along the frontiers of these villages the line shall continue by Dzickanovice, Garlice, Tomaszow, Karniowice, which shall also remain in the territory of Cracow, to the point where the limit begins which separates the district of Krzeszovice from that of Olkusz; from thence it shall follow this limit between the two said provinces, till it reaches the frontiers of Silesian Prussia.

ARTICLE VIII. His Majesty the Emperor of Austria, wishing particularly to facilitate as much as possible on his part, the commercial relations, and good neighbourhood between Galicia and the Free Town of Cracow, grants for ever to the town of Podgorze, the privileges of a Free Commercial Town, such as are enjoyed by the town of Brody. This liberty of commerce shall extend to a distance of 500 toises from the barrier of the suburbs of the town of Podgorze.

In consequence of this perpetual concession, which nevertheless shall not affect the rights of sovereignty of His Imperial and Royal Apostolic Majesty, the Austrian custom-houses shall be established only in places

situated beyond that limit. No military establishment shall be formed that can menace the Neutrality of Cracow, or obstruct the liberty of commerce which His Imperial and Royal Apostolic Majesty grants to the town and district of Podgorze.

ARTICLE IX. The Courts of Russia, Austria, and Prussia engage to respect, and to cause to be always respected, the Neutrality of the Free Town of Cracow and its Territory. No armed force shall be introduced upon any pretence whatever.

On the other hand it is understood and expressly stipulated that no asylum shall be afforded in the free town and territory of Cracow to fugitives, deserters, and persons under prosecution, belonging to the country of either of the High Powers aforesaid; and in the event of the demand of their surrender by the competent authorities, such individuals shall be arrested and given up without delay, and conveyed, under a proper escort, to the guard appointed to receive them at the frontier.

ARTICLE X. The dispositions of the Constitution of the Free Town of Cracow, concerning the Academy, the Bishopric, and Chapter of that town, such as they are specified in Articles VII, XV, XVI, and XVII of the Additional Treaty relative to Cracow, which is annexed to the present General Treaty, shall have the same force and validity as if they were textually inserted in this Act.

(2) CONVENTION BETWEEN AUSTRIA, PRUSSIA, AND RUSSIA. (CRACOW) NOVEMBER 6, 1846.

(Hertslet, ii, No. 201.)

The 3 Courts of Austria, Prussia, and Russia,

Considering, that the Conspiracy which in the month of February, 1846, produced the well-known events in the Grand Duchy of Posen, in Cracow, and in Galicia,

was organized in places at a distance from the Country in which it was supported by numerous accomplices ;

Considering, that the criminal faction took up arms at the hour appointed, committed hostilities, and published proclamations exciting to general revolt ;

Considering, that Cracow became the seat of a central authority calling itself the *Revolutionary Government*, and that the acts which emanated from that authority were intended to direct the insurrection ;

Considering, that all these combined circumstances have constituted, on the part of the State of Cracow, a real State of War, which would have authorized the Courts of Austria, of Prussia, and of Russia, to avail themselves of all the rights given by War ;

Considering, that on this ground alone they would have the right to dispose of a Territory which has taken an hostile attitude towards them ;

Considering, that there is no question for the 3 Powers of causing the City of Cracow to submit to the Law of the Strongest, inasmuch as that law cannot be applicable where so great a disparity exists ;

Considering, that there is, moreover, as little question of exercising towards Cracow an act of vengeance, or of inflicting a punishment ; but that the High Protecting Powers desire only to restore order and peace to the Territory of Cracow, and that they have no other object but that of guarding their subjects against the recurrence of events which have so deeply compromised their tranquillity ;

Considering, moreover, that by the Treaty concluded between them, the 21st April/3rd May, 1815, the City of Cracow with its Territory, was declared a Free and Independent and strictly Neutral City under the Protection of the 3 High Contracting Parties ;

Considering, that by this Stipulation the 3 Courts were desirous of giving effect to the Article relating to the City of Cracow, in their respective Treaties concluded the 21st April/3rd May, 1815, the one between His Majesty the Emperor of Austria and His Majesty the Emperor of All the Russias, the other concluded on the same date between His Majesty the Emperor of All the Russias and the King of Prussia ;

Considering, that the existence of the Free City of Cracow, far from being in conformity with their intentions, has on the contrary been a source of disturbance and disorders, which during nearly 20 years not only compromised the peace and prosperity of this Free City, and the security of the adjoining Provinces, but, moreover, tended to overthrow the order of things established by the Treaties of 1815 ;

Considering, that numerous facts of this nature, the notoriety of which renders enumeration superfluous, have completely altered the nature of the existence of the Free City of Cracow ; that by acts contrary to the tenor of Treaties, Cracow has on several occasions freed herself from the obligations which the condition of strict Neutrality imposed upon her ; that these acts have on several occasions led to the Armed Intervention of the 3 Powers ; that all the modifications introduced into the internal Constitution for the purpose of giving to its Government more power, have not sufficed to prevent the recurrence of these deplorable facts ;

Considering, that the forbearance of the 3 Governments, shown by these benevolent arrangements, far from bearing fruit, has only served to promote the projects of the irreconcileable enemies of established order ; that in becoming the centre of a new and vast conspiracy, the ramifications of which embrace all the Provinces

formerly Polish, and in superadding to this culpable and disloyal project, an act of armed aggression, the Free City of Cracow has become the point of which the spirit of revolution availed itself in order to sap the internal tranquillity of adjoining States ;

Considering, that the City of Cracow has proved that it was a political body evidently too weak to resist the unceasing machinations of the Polish Emigration, who held it morally subjected ; that accordingly that City no longer presents any guarantee to the Powers against the recurrence of attempts already repeated at various times ;

Considering, that attempts of this nature are a manifest infraction of the Treaty of 1815, as well as of Article II of the Constituent Statute of the Free City of Cracow of the 30th of May, 1833 ;

Considering, that the stipulations relative to Cracow resolved upon by the 3 Courts have only been repeated in Articles VI, VII, VIII, IX, and X of the General Act of the Congress of Vienna, of the 9th of June, 1815, for the purpose of including in that Act the several results of their individual negotiations ;

Considering, that the 3 Courts, in now changing a state of things which had spontaneously been created by them in 1815, with regard to Cracow, only re-enter into the exercise of an incontestable right ;

Considering all these reasons, and taking finally into mature consideration the care which the security of their States, so often compromised by the Free City of Cracow, so imperiously demands ;

Have agreed upon the following resolutions :—

1. The 3 Courts of Austria, Prussia, and Russia, revoke the Articles relative to the City of Cracow of the Treaties which they respectively concluded, the one

between His Majesty the Emperor of Austria, and His Majesty the Emperor of All the Russias, and His Majesty the King of Prussia, signed by them the 21st April/3rd May, 1815, as well as the Additional Treaty between Austria, Prussia, and Russia of the same date.

2. In consequence of this resolution, the City of Cracow and its Territory shall be restored to the Court of Austria for the purpose of being re-united to the Austrian Monarchy, and of being possessed by His Imperial and Royal Apostolic Majesty in the same manner as he possessed them before the year 1809.

(3) British Protest against Annexation of Cracow to Austria. November 23, 1846.

(Hertslet, ii, No. 203.)

My Lord,

Count Dietrichstein, the Chevalier Bunsen, and Baron Brunnow, have communicated to me identic despatches from their respective Governments, with a Memorandum inclosed in each, announcing to Her Majesty's Government the intention of the Governments of Austria, Russia, and Prussia, to put an end to the independent existence of the Free State of Cracow, and to incorporate the City and its Territory in the Dominions of the Emperor of Austria. The grounds upon which this intention is rested, are the allegation that the Free State of Cracow was created and constituted in May, 1815, by the Triple Treaty between Austria, Russia, and Prussia; that those 3 Powers alone, having been its creators, they are competent, by their own authority, to put an end to its existence; that they now feel themselves justified in doing so, because the Free State has for a long course of years failed in its duty towards the Protecting Powers; that during the Polish Insurrec-

tion in 1830, Cracow gave aid to the insurrectionary forces in the Kingdom of Poland, and harboured a great number of refugees from thence when the Insurrection was put down; that from that time to the present it has been the centre of political intrigues, tending to disturb the tranquillity of the 3 adjoining States; that recently its population actually invaded the Province of Galicia and plundered the treasury of the Salt Mines of Wieliczka, and that its Government, having been dissolved by internal dissensions, the question now for the 3 Protecting Powers to decide, has become, whether they should reconstruct a non-existing Government, or entirely alter the condition of existence of Cracow and its Territory; and they say that they have preferred the latter course, and have determined that Cracow shall revert to Austria, to which Power it belonged before 1809, and that it shall henceforward form a part of the Austrian Dominions.

Her Majesty's Government have received this communication with deep regret and with much surprise. The communications which of late have been had with the Representatives of the 3 Powers at this Court had led Her Majesty's Government to expect that some proposal would be made by the 3 Powers for some modification of the Political Condition in which the Treaty of Vienna has placed the Free State of Cracow, with a view the better to secure the Territories of the 3 Powers from risk of disturbance by plots which might be formed in Cracow; but Her Majesty's Government were not prepared for such a communication as that which they have now received; and Her Majesty's Government feel themselves bound to Protest against the execution of the intention which has thus been announced.

Her Majesty's Government will first consider the grounds upon which the proposed measure is sought to be justified, and secondly, the right which the 3 Powers claim to themselves to carry it into execution of their own authority.

After the events of 1830 and 1836, it is to be remarked that the 3 Powers had recourse to measures which they thought sufficient for the security of their respective Dominions, and those events can scarcely be quoted now as affording grounds for fresh measures of severity against Cracow; and with respect to the inroad made by the people of Cracow into the Galician Territory about a twelvemonth ago, and the alleged dissolution of the Government of Cracow by its own act, Her Majesty's Government would observe, that if General Collin, who was invited into Cracow by the Government of that State for the maintenance of order, had not suddenly withdrawn his troops, it is probable that no inroad would have been made by the people of Cracow into Galicia; and as that General carried away with him all the constituted authorities of the City, and left the City and State in a condition of administrative anarchy, it can hardly be said that the dissolution of the Government was the act of the people of Cracow themselves.

But it is alleged that Cracow has long been, and if it remains Independent, will still continue to be the centre of intrigues, having for their object the disturbance of the tranquillity of adjoining Territories; and the question is, in what degree the present Political Condition of Cracow affords facilities for the carrying on of such practices?

Now, such intrigues and plots must be carried on either by strangers coming to Cracow, or by the native inhabitants themselves.

But no stranger can reach Cracow except by traversing a vast extent of Territory belonging to one or other of the 3 Powers; and it is difficult to imagine that any Polish exile, or any conspirator from any foreign country, could so far elude the vigilance of the police of the Power whose Territory he would have to pass through, as to be able to penetrate to Cracow.

The population of Cracow is not large in number, and not only would the arrival of a suspicious stranger among them be quickly known to the Police, but it would be scarcely possible for such stranger, or for any resident inhabitant of the State, long to carry on a correspondence with the people of neighbouring districts, for the purpose of exciting disturbances therein, without such correspondence coming to the knowledge of the Government, and through them to that of the 3 Residents; and such practices being once known, the laws of Cracow would surely afford means to put a stop to them effectually. But if the police regulations of Cracow are not efficient enough to secure the obtaining of such information; and if the laws of Cracow do not give the Government power to prevent such an abuse of the shelter of the Free State, those police regulations might be improved and those laws might be altered; and full security might in these respects be obtained for the 3 Powers without destroying the existence of the State.

It is no doubt the duty of Cracow to give the 3 Powers such security; for freedom and independence were given to Cracow for the well-being and happiness of its own people; and not in order to enable that people to create disturbances and confusion in adjoining countries.

It appears, then, to Her Majesty's Government that no sufficient proof has yet been given to show that full security might not be afforded to the internal tranquillity

of the Territories of the 3 Powers, without destroying the Separate and Independent existence of the State of Cracow.

But Her Majesty's Government must at all events deny the competency of the 3 Powers to decide upon and to execute such a measure, of their own separate authority, and without the concurrence of the other Powers who were parties to the Treaty of Vienna of June, 1815.

There is no doubt that the erection of Cracow and its Territory into a Free and Independent State, together with many of the details of its organization, are matters which were first recorded by the Treaty of the 3rd of May, 1815. But that Treaty merely recorded one part of the various arrangements made by the General Congress of Vienna; and it was by Article CXVIII of the General Treaty declared to be an integral part of the arrangements of the Congress of the European Powers, and to have everywhere the same force and value as if it had been inserted word for word in the General Treaty.

But besides this the leading stipulations about Cracow which are contained in the Separate Treaty of the 3rd of May, concluded between the 3 Powers, are inserted word for word in the General Treaty to which all the Powers are parties, and those stipulations constitute the Articles VI, VII, VIII, IX, X, of that General Treaty.

It is demonstrable, therefore, that with whomsoever may have originated the plan of erecting Cracow and its Territory into a Free and Independent State, that plan was carried into effect by stipulations to which all the Powers were equally parties; and consequently it is not competent for 3 of those Powers by their own separate authority to undo that which was established

by the common engagements of the whole; and it is manifest that the special duty which the 3 Powers undertook, of protecting the Independence of the State, cannot invest them with any right to overthrow that Independence and to destroy it.

For these reasons Her Majesty's Government are of opinion that the execution of the intentions which the 3 Powers have announced, would be a measure justified by no adequate necessity, and would involve a violation of positive stipulations contained in the General Treaty of Vienna; and Her Majesty's Government, deeply impressed with the conviction that it is above all things important that the engagements of Treaties should at all times be faithfully observed, most earnestly hope that means may be devised for guarding the Territories of the 3 Powers against the dangers adverted to in their identic communications, without any breach of the Treaty of 1815.

Your Excellency will read this despatch to Prince Metternich, and you will send him officially a copy of it.

I am, &c.,

PALMERSTON.

(4) DECLARATION OF RUSSIA RESPECTING POLAND. AUGUST 15, 1914.

(*The Times*, August 17, 1914.)

POLES,—The hour has sounded when the sacred dream of your fathers and your grandfathers may be realized. A century and a half has passed since the living body of Poland was torn in pieces, but the soul of the country is not dead. It continues to live, inspired by the hope that there will come for the Polish people an hour of resurrection, and of fraternal reconciliation with Great Russia. The Russian Army brings you the

solemn news of this reconciliation which obliterates the frontiers dividing the Polish peoples, which it unites conjointly under the sceptre of the Russian Tsar. Under this sceptre Poland will be born again, free in her religion and her language. Russian autonomy only expects from you the same respect for the rights of those nationalities to which history has bound you. With open heart and brotherly hand Great Russia advances to meet you. She believes that the sword, with which she struck down her enemies at Grünwald,[1] is not yet rusted. From the shores of the Pacific to the North Sea the Russian armies are marching. The dawn of a new life is beginning for you, and in this glorious dawn is seen the sign of the Cross, the symbol of suffering and of the resurrection of peoples.

6. AGREEMENTS RELATING TO THE DANISH DUCHIES

(1) Treaty between Great Britain, Austria, France, Prussia, Russia, Sweden, and Norway, on the one part, and Denmark on the other part, relative to the Succession to the Crown of Denmark. (London) May 8, 1852.

(Hertslet, ii, No. 230.)

Article I. After having taken into serious consideration the interests of his Monarchy, His Majesty the King of Denmark, with the assent of His Royal Highness the Hereditary Prince, and of his nearest cognates, entitled

[1] The battle of Grünwald or Tannenberg, on July 15, 1410, was the decisive victory of the Poles, under Ladislaus II Jagiello, over the Teutonic Order of Knights, the founders of Prussia. The same name of Tannenberg has been given by the Germans to the victory of von Hindenburg over the Russians between August 26 and 31, 1914.

to the Succession by the Royal Law of Denmark, as well as in concert with His Majesty the Emperor of All the Russias, Head of the elder Branch of the House of Holstein-Gottorp, having declared his wish to regulate the order of Succession in his dominions in such manner that, in default of issue male in a direct line from King Frederick III of Denmark, his Crown should devolve upon His Highness the Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg, and upon the issue of the marriage of that Prince with Her Highness the Princess Louisa of Schleswig-Holstein-Sonderbourg-Glücksbourg, born a Princess of Hesse, by order of Primogeniture from Male to Male; the High Contracting Parties, appreciating the wisdom of the views which have determined the eventual adoption of that arrangement, engage by common consent, in case the contemplated contingency should be realized, to acknowledge in His Highness the Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg, and his issue male in the direct line by his marriage with the said Princess, the Right of Succeeding to the whole of the Dominions now united under the sceptre of His Majesty the King of Denmark.

Article II. The High Contracting Parties, acknowledging as permanent the principle of the Integrity of the Danish Monarchy, engage to take into consideration the further propositions which His Majesty the King of Denmark may deem it expedient to address to them in case (which God forbid) the extinction of the issue male, in the direct line, of His Highness the Prince Christian of Schleswig-Holstein-Sonderbourg-Glücksbourg, by his marriage with Her Highness the Princess Louisa of Schleswig-Holstein-Sonderbourg-Glücksbourg, born a Princess of Hesse, should become imminent.

ARTICLE III. It is expressly understood that the reciprocal Rights and Obligations of His Majesty the King of Denmark, and of the Germanic Confederation, concerning the Duchies of Holstein and Lauenburg, Rights and Obligations established by the Federal Act of 1815, and by the existing Federal Right, shall not be affected by the present Treaty.

(2) NOTE ADDRESSED BY EARL RUSSELL TO SIR A. BUCHANAN, DECEMBER 17, 1863.

(*Parliamentary Papers*, 1864, *Denmark and Germany*, No. III, p. 382.)

HER Majesty's Government appreciate highly the efforts which have been made by Prussia and Austria to turn into a regular channel the flood of wild enthusiasm which seems in most parts of Germany to have burst all the restraints of public law and international good faith.

Still Her Majesty's Government have seen with surprise and pain the language which has been held at Berlin with regard to the Treaty of London of May 1852.

The Powers who signed that Treaty, or who subsequently acceded to it, must recollect that they bound themselves thereby not to Denmark alone, but to Great Britain, France, Russia, and Sweden, who were parties to it, and to all the other States and Powers whose accession thereto was asked for and obtained, and that the declared object and purpose of that Treaty was not to regulate the reciprocal relations of Denmark and Germany, but to serve as an arrangement essential for the general interest of Europe.

A violation of the engagements taken by Denmark in 1851–2 is fair subject of complaint, and for which redress

may justly be demanded. But such violation cannot cancel a solemn European engagement taken towards other parties. The promises made by Denmark in January 1852 regarding Holstein and Schleswig may have been the prevailing motive with Austria and Prussia for entering into the Treaty of May 1852; but these Powers cannot with any show of reason, allege, as an excuse for not remaining faithful to the obligations of that Treaty, that their expectations as to the fulfilment by Denmark of her engagements (taken at another time, in other documents) have been disappointed.

The whole foundations of the Treaty stipulations of Europe would be subverted if such a reason could be admitted as an excuse for breaking a plain and simple Treaty engagement. Any Sovereign when called upon to fulfil his engagements might say: 'My motive for concluding that Treaty with you was that I had other engagements with one of the parties of that Treaty. Those other engagements have not been kept, and therefore my Treaty with you is null and void.'

Her Majesty's Government are convinced that the Court of Berlin will see that such a process of reasoning, if admitted to be valid, might shake to pieces any existing Treaty. I forbear from quoting instances in which such a loose and capricious mode of interpreting Treaties might prove seriously injurious to the German Powers themselves.

Let it suffice at present for Her Majesty's Government to declare that they would consider any departure from the Treaty of Succession of 1852 by Powers who signed or acceded to that Treaty as entirely inconsistent with good faith.

You may read to M. Bismarck, but not give a copy of this dispatch.

(3) NOTE ADDRESSED BY M. DE BISMARCK TO COUNT BERNSTORFF; COMMUNICATED TO EARL RUSSELL, FEBRUARY 4, 1864.

(*Parliamentary Papers*, 1864, *Denmark and Germany*, No. III, p. 639.)

Berlin, January 1, 1864.

THE Government of the King, by basing on the stipulations of 1851–2 the rights which, in concert with Austria, it is proceeding to enforce upon Denmark, has by this very act recognized the principle of the integrity of the Danish Monarchy as established by the transactions of 1851–2. The Government of the King, in proceeding to the occupation of Schleswig, do not intend to depart from this principle. If, however, in consequence of complications which may be brought about by the persistence of the Danish Government in its refusal to accomplish its promises of 1852, or of the armed intervention of other Powers in the Dano-German conflict, the King's Government were to find itself compelled to renounce combinations which would no longer offer a result proportionate to the sacrifices which events might impose upon the German Powers, no definitive arrangements could be made without the concurrence of the Powers who signed the Treaty of London. The British Government would then find the King's Government ready to come to an agreement with them as to the definite arrangement of the Dano-German question

(4) TREATY BETWEEN AUSTRIA, PRUSSIA, AND DENMARK. (VIENNA) OCTOBER 30, 1864.

In French. (Hertslet, iii, No. 367.)

ARTICLE I. There shall be for the future Perpetual Peace and Friendship between their Majesties the King of Prussia, and the Emperor of Austria, and His Majesty

the King of Denmark, as well as between their Heirs and Successors, their States, and their respective Subjects.

ARTICLE II. All Treaties and Conventions concluded before the War between the High Contracting Parties are re-established in their vigour, in so far as they are not abrogated or modified by the tenor of the present Treaty.

ARTICLE III. His Majesty the King of Denmark renounces all his Rights over the Duchies of Schleswig, Holstein, and Lauenburg in favour of their Majesties the King of Prussia and the Emperor of Austria, engaging to recognize the dispositions which their said Majesties shall make with reference to those Duchies.

(ARTICLE IV. *New frontier between Kingdom of Denmark and Duchy of Schleswig.*)

(5) CONVENTION BETWEEN AUSTRIA AND PRUSSIA. (GASTEIN) AUGUST 14, 1865.

(Hertslet, iii, No. 370.)

THEIR Majesties the Emperor of Austria and the King of Prussia have become convinced that the Co-Sovereignty which has hitherto existed in the Territories ceded by Denmark in the Treaty of Peace of 30th October, 1864, leads to untoward results, which at the same time endanger both the good understanding between their Governments and the Interests of the Duchies. Their Majesties have therefore resolved for the future not to exercise in common the Rights which have accrued to them by Article III of the above-mentioned Treaty, but to divide the exercise thereof geographically until a further agreement may be made.

For this purpose His Majesty the Emperor of Austria, &c., has appointed as his Plenipotentiary, Count von

Blome; the King of Prussia, &c., has appointed as his Plenipotentiary, M. von Bismarck-Schönhausen; who, after having communicated to each other their respective Full Powers, which were found in good and due form, have agreed upon the following Articles:

ARTICLE I. The exercise of the Rights acquired in common by the High Contracting Parties, in virtue of Article III of the Vienna Treaty of Peace of 30th October, 1864, shall, without prejudice to the continuance of those rights of both Powers to the whole of both Duchies, pass to His Majesty the Emperor of Austria as regards the Duchy of Holstein, and to His Majesty the King of Prussia as regards the Duchy of Schleswig.

ARTICLE II. The High Contracting Parties will propose to the Diet the establishment of a German Fleet, and will fix upon the Harbour of Kiel as a Federal Harbour for the said Fleet.

Until the resolutions of the Diet with respect to this proposal have been carried into effect, the Ships of War of both Powers shall use this Harbour, and the Command and the Police Duties within it shall be exercised by Prussia. Prussia is entitled both to establish the necessary Fortifications opposite Friedrichsort for the protection of the entrance, and also to fit up along the Holstein bank of the inlet the Naval Establishments that are requisite in a Military Port. These Fortifications and Establishments remain likewise under Prussian command, and the Prussian marines and troops required for their Garrison and Protection may be quartered in Kiel and the neighbourhood.

(ARTICLES III–VI. *Garrisons, Military Roads, Customs, &c.*)

ARTICLE VII. Prussia is entitled to make the Canal that is to be cut between the North Sea and the Baltic,

through the Territory of Holstein, according to the result of the professional investigations undertaken by the Prussian Government.

In so far as this shall be the case, Prussia shall have the right to determine the direction and the dimensions of the Canal; to acquire possession of the Land necessary for carrying out the work by means of expropriation, with an indemnification to the amount of the value; to conduct the construction of the Canal; to superintend the inspection and conservation of the Canal; and to give her assent to all regulations respecting the said Canal.

With the exception of the Navigation Dues, which are to be levied for the use of the Canal, and which are to be regulated by Prussia, and to be the same for the Ships of all Nations, no Transit Tolls or Dues upon Ship and Cargo are to be levied at any part of the Canal.

ARTICLE VIII. Nothing is changed by the present Convention in the Stipulations of the Vienna Treaty of Peace of 30th October, 1864, relative to the Financial Obligations to be undertaken by the Duchies both as regards Denmark and as regards Austria and Prussia; but the Duchy of Lauenburg is to be released from every obligation of contributing towards the expenses of the War.

The division of these Obligations between the Duchies of Holstein and of Schleswig will be based upon the proportion of population.

ARTICLE IX. His Majesty the Emperor of Austria cedes to His Majesty the King of Prussia the Rights acquired in the aforementioned Vienna Treaty of Peace with respect to the Duchy of Lauenburg; and in return the Royal Prussian Government binds itself to pay to

the Austrian Government the sum of 2,500,000 Danish rix-dollars, payable at Berlin in Prussian silver, 4 weeks after confirmation of the present Convention by their Majesties the Emperor of Austria and the King of Prussia.

ARTICLE X. The carrying into effect of the foregoing division of the Co-Sovereignty, which has been agreed upon, shall begin as soon as possible after the approval of this Convention by their Majesties the Emperor of Austria and the King of Prussia, and shall be accomplished at the latest by the 15th September.

The joint Command-in-Chief, hitherto existing, shall be dissolved on the complete Evacuation of Holstein by the Prussian troops and of Schleswig by the Austrian troops, by the 15th September, at the latest.

(6) BRITISH CIRCULAR RELATIVE TO THE DANISH DUCHIES. SEPTEMBER 14, 1865.

(Hertslet, iii, No. 372.)

SIR,

The Chargé d'Affaires of Prussia has communicated to me the substance of a dispatch relating to the Convention of Gastein, and the newspapers of Berlin have since published the text of that Convention.

Upon the first communication to Her Majesty's Government of the Preliminaries of Peace signed at Vienna, I stated at Vienna and Berlin the views of Her Majesty's Government upon those Preliminaries.

The present Convention has only served to increase the regret Her Majesty's Government then expressed.

The Treaties of 1815 gave the King of Denmark a seat in the German Diet as Duke of Holstein.

The Treaty of 1852 recognized the right of Succession

to the whole Danish Monarchy, which the late King had established in the person of the present King.

That Treaty has, in spite of the assurances given in the Dispatches of 31st January, 1864, been completely set aside by Austria and Prussia, two of the Powers who had signed it.

It might have been expected that when Treaties were thus annulled, the popular feeling of Germany, the wishes of the Duchies themselves, and the opinions of the Diet so explicitly put forth by Austria and Prussia in the sittings of the Conference of London, would have been recognized in their place. In this manner if an order of Rights had been overthrown, another Title drawn from the assent of the people would have been set up, and that Title might have been received with respect and maintained with a prospect of permanence.

But all Rights, old and new, whether founded on the solemn Compact of Sovereigns or on the clear expression of the popular will, have been set at naught by the Convention of Gastein, and the dominion of Force is the sole power acknowledged and regarded.

Violence and conquest are the bases upon which alone the Partitioning Powers found their agreement.

Her Majesty's Government deeply lament the disregard thus shown to the principles of public right, and the legitimate claims of a people to be heard as to the disposal of their own destiny.

This instruction does not authorize you to address observations on this subject to the Court to which you are accredited, but is intended only to point out when the opportunity shall present itself what is the language you are expected to hold.

RUSSELL.

(7) Treaty between Austria and Prussia. (Prague) August 23, 1866.

(Hertslet iii, No. 388.)

Article I. There shall be Peace and Friendship between His Majesty the Emperor of Austria and His Majesty the King of Prussia, and between their heirs and successors, as well as between their respective States and subjects, henceforth and for ever.

Article II. For the purpose of carrying out Article VI of the Preliminaries of Peace concluded at Nikolsburg on the 26th July, 1866, and as His Majesty the Emperor of the French officially declared through his accredited Ambassador to His Majesty the King of Prussia, on the 29th July, 1866, 'qu'en ce qui concerne le Gouvernement de l'Empereur, la Vénétie est acquise à l'Italie pour lui être remise à la Paix'—His Majesty the Emperor of Austria also accedes on his part to that Declaration and gives his consent to the Union of the Lombardo-Venetian Kingdom with the Kingdom of Italy, without any other burdensome condition than the liquidation of those Debts which, being charged on the Territories ceded, are to be recognized in accordance with the precedent of the Treaty of Zurich.

Article III. The Prisoners of War shall be set at liberty immediately on both sides.

Article IV. His Majesty the Emperor of Austria acknowledges the dissolution of the Germanic Confederation as hitherto constituted, and gives his consent to a new organization of Germany without the participation of the Imperial Austrian State. His Majesty likewise promises to recognize the more restricted Federal relations which His Majesty the King of Prussia will

establish to the north of the line of the Main; and he declares his concurrence in the formation of an Association of the German States situated to the south of that line, whose national connexion with the North German Confederation is reserved for further arrangement between the parties, and which will have an independent international existence.

ARTICLE V. His Majesty the Emperor of Austria transfers to His Majesty the King of Prussia all the rights which he acquired by the Vienna Treaty of Peace of 30th October, 1864, over the Duchies of Holstein and Schleswig, with the condition that the populations of the Northern Districts of Schleswig shall be ceded to Denmark if, by a free vote, they express a wish to be united to Denmark.

ARTICLE VI. At the desire of His Majesty the Emperor of Austria, His Majesty the King of Prussia declares his willingness to let the present Territorial condition of the Kingdom of Saxony remain to the same extent as before, in the alterations which are about to be made in Germany; but he reserves to himself the right of arranging the contribution of Saxony to the expenses of the War, and the future position of the Kingdom of Saxony in the North German Confederation, by a special Treaty to be concluded with His Majesty the King of Saxony.

On the other hand, His Majesty the Emperor of Austria promises to recognize the new arrangements that will be made by His Majesty the King of Prussia in North Germany, including the Territorial alterations.

(ARTICLES VII–XII. *Arrangements concerning Federal Property, War Indemnity, &c.*)

7. AGREEMENTS RESPECTING TURKEY

(1) Treaty between Great Britain, Austria, France, Germany, Italy, Russia, and Turkey. (London) March 13, 1871.

In French. (Hertslet iii, No. 439.)

Article I. Articles XI, XIII, and XIV of the Treaty of Paris of the 30th March, 1856, as well as the special Convention concluded between Russia and the Sublime Porte, and annexed to the said Article XIV, are abrogated, and replaced by the following Article.

Article II. The principle of the closing of the Straits of the Dardanelles and the Bosphorus, such as it has been established by the separate Convention of the 30th March, 1856, is maintained, with power to His Imperial Majesty the Sultan to open the said Straits in time of Peace to the Vessels of War of friendly and allied Powers, in case the Sublime Porte should judge it necessary in order to secure the execution of the stipulations of the Treaty of Paris of the 30th March, 1856.

Article III. The Black Sea remains open, as heretofore, to the Mercantile Marine of all Nations.

(Articles IV–VII. *Danube Riverain Commission, &c.*)

(2) Convention of Defensive Alliance between Great Britain and Turkey. (Constantinople) June 4, 1878.

(Hertslet, iv, No. 524.)

Article I. If Batoum, Ardahan, Kars, or any of them shall be retained by Russia, and if any attempt shall be made at any future time by Russia to take possession of any further territories of His Imperial Majesty the Sultan in Asia, as fixed by the Definitive

Treaty of Peace, England engages to join His Imperial Majesty the Sultan in defending them by force of arms.

In return, His Imperial Majesty the Sultan promises to England to introduce necessary Reforms, to be agreed upon later between the two Powers, into the government, and for the protection of the Christian and other subjects of the Porte in these territories.

And in order to enable England to make necessary provision for executing her engagement, His Imperial Majesty the Sultan further consents to assign the Island of Cyprus to be occupied and administered by England.

(3) Treaty between Great Britain, Austria-Hungary, France, Germany, Italy, Russia, and Turkey. (Berlin) July 13, 1878.

In French. (Hertslet, iv, No. 530.)

Article I. Bulgaria is constituted an autonomous and tributary Principality under the Suzerainty of His Imperial Majesty the Sultan ; it will have a Christian Government and a national militia.

Article XXIII. The Sublime Porte undertakes scrupulously to apply in the Island of Crete the Organic Law of 1868 with such modifications as may be considered equitable.

Similar laws adapted to local requirements, excepting as regards the exemption from taxation granted to Crete, shall also be introduced into the other parts of Turkey in Europe for which no special organization has been provided by the present Treaty.

The Sublime Porte shall depute special Commissions, in which the native element shall be largely represented, to settle the details of the new laws in each province.

The schemes of organization resulting from these labours shall be submitted for examination to the Sublime Porte, which, before promulgating the Acts for putting them into force, shall consult the European Commission instituted for Eastern Roumelia.

ARTICLE XXV. The Provinces of Bosnia and Herzegovina shall be occupied and administered by Austria-Hungary. The Government of Austria-Hungary, not desiring to undertake the administration of the Sanjak of Novi-Bazar, which extends between Servia and Montenegro in a south-easterly direction to the other side of Mitrviotza, the Ottoman Administration will continue to exercise its functions there. Nevertheless, in order to assure the maintenance of the new political state of affairs, as well as freedom and security of communications, Austria-Hungary reserves the right of keeping garrisons and having military and commercial roads in the whole of this part of the ancient Vilayet of Bosnia. To this end the Governments of Austria-Hungary and Turkey reserve to themselves to come to an understanding on the details.

ARTICLE XXVI. The independence of Montenegro is recognized by the Sublime Porte and by all those of the High Contracting Parties who had not hitherto admitted it.

ARTICLE XXXIV. The High Contracting Parties recognize the independence of the Principality of Servia, subject to the conditions set forth in the following Article.

ARTICLE XXXV. In Servia the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours,

or the exercise of the various professions and industries, in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to Servia, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

ARTICLE XLIII. The High Contracting Parties recognize the independence of Roumania, subject to the conditions set forth in the two following Articles.

ARTICLE XLIV. In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian State, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

The subjects and citizens of all the Powers, traders or others, shall be treated in Roumania, without distinction of creed, on a footing of perfect equality.

ARTICLE XLV. The Principality of Roumania restores to His Majesty the Emperor of Russia that portion of the Bessarabian territory detached from Russia by the Treaty of Paris of 1856, bounded on the west by the mid-channel of the Pruth, and on the south by the mid-channel of the Kilia Branch and the Stary-Stamboul mouth.

ARTICLE LII. In order to increase the guarantees which assure the freedom of navigation on the Danube which is recognized as of European interest, the High Contracting Parties determine that all the fortresses and fortifications existing on the course of the river from the Iron Gates to its mouths shall be razed, and no new ones erected. No vessel of war shall navigate the Danube below the Iron Gates with the exception of vessels of light tonnage in the service of the river police and Customs. The 'stationnaires' of the Powers at the mouths of the Danube may, however, ascend the river as far as Galatz.

ARTICLE LVIII. The Sublime Porte cedes to the Russian Empire in Asia the territories of Ardahan, Kars, and Batoum, together with the latter port, as well as all the territories comprised between the former Russo-Turkish frontier and the following line :—

(*Here follow the limits.*)

ARTICLE LIX. His Majesty the Emperor of Russia declares that it is his intention to constitute Batoum a free port, essentially commercial.

ARTICLE LXII. The Sublime Porte having expressed the intention to maintain the principle of religious liberty, and give it the widest scope, the Contracting Parties take note of this spontaneous declaration.

In no part of the Ottoman Empire shall difference of religion be alleged against any person as a ground for exclusion or incapacity as regards the discharge of civil and political rights, admission to the public employments, functions and honours, or the exercise of the various professions and industries.

All persons shall be admitted, without distinction of religion, to give evidence before the tribunals.

The freedom and outward exercise of all forms of

worship are assured to all, and no hindrance shall be offered either to the hierarchical organization of the various communions or to their relations with their spiritual chiefs.

Ecclesiastics, pilgrims, and monks of all nationalities travelling in Turkey in Europe, or in Turkey in Asia, shall enjoy the same rights, advantages, and privileges.

The right of official protection by the Diplomatic and Consular Agents of the Powers in Turkey is recognized both as regards the above-mentioned persons and their religious, charitable, and other establishments in the Holy Places and elsewhere.

The rights possessed by France are expressly reserved, and it is well understood that no alterations can be made in the *status quo* in the Holy Places.

The monks of Mount Athos, of whatever country they may be natives, shall be maintained in their former possessions and advantages, and shall enjoy, without any exception, complete equality of rights and prerogatives.

Article LXIII. The Treaty of Paris of March 30, 1856, as well as the Treaty of London of March 13, 1871, are maintained in all such of their provisions as are not abrogated or modified by the preceding stipulations.

(4) Denunciation by Austria-Hungary of Article XXV of the Treaty of Berlin. (Vienna) October 3, 1908.

In French. (*Revue Générale de Droit International Public*, xv, Doc. 35–6.)

In order to ensure the pacific development of the territories situated to the south of the frontier of the Monarchy, the Treaty of Berlin confided to Austria-Hungary the administration of Bosnia and Herzegovina

with, in addition, the right of garrison in the Sanjak of Novi-Bazar, reserving to the governments of Austria-Hungary to come to an understanding with each other on this subject.

This understanding was brought about by the Convention of Constantinople signed on April 21, 1879, which provided for the simultaneous presence of Austro-Hungarian and Ottoman garrisons in certain localities of the Sanjak.

The object intended by this amicable co-operation of Austro-Hungarian and Ottoman troops has been fully attained. We have succeeded in maintaining order and ensuring the peace of Europe, which a conflagration in these regions would easily have been able to endanger.

Since then, the situation has undergone a radical change. Turkey, then enfeebled by the consequences of the sanguinary war, and powerless by herself alone to ensure order and tranquillity in the Sanjak, has recovered herself during the thirty years which followed the signing of the Convention of Constantinople.

Above all the political movement which is manifesting itself there at this moment, under the auspices of His Majesty the Sultan, affirms the idea of the Ottoman State, and through that, a consolidation of the bases of the Empire itself.

In these circumstances, the Cabinet of Vienna is pleased to hope that the Ottoman Government will succeed, without other support, in maintaining order in the Sanjak and in fulfilling alone in these countries the task which there rested upon it, up till now, through the co-operation of the two Governments.

Accordingly the Imperial and Royal Government has not hesitated to inform the Sublime Porte that it renounced to make use for the future of the rights

which the Convention of Constantinople has conferred with regard to the Sanjak of Novi-Bazar.

With regard to the Imperial and Royal troops, the Ottoman Government has likewise been informed that they have received orders to evacuate the localities which they are garrisoning.

By this fact of high importance, the Cabinet of Vienna means not only to give to the Imperial Ottoman Government a striking proof of its confidence and of its sincerely amicable sentiments, it opposes by this, at the same time, the most formal denial to the rumours which ascribe to it selfish ambition and territorial covetousness.

In bringing to the knowledge of the Imperial Ottoman Government its intention not to appeal to the dispositions of the Convention of Constantinople, in so far as they apply to the Sanjak of Novi-Bazar, the Cabinet of Vienna believes it necessary at the same time to make clear its point of view with regard to the other questions specified in the same Convention.

The mission which the Treaty of Berlin has confided to her in Bosnia and in Herzegovina, Austria-Hungary has fulfilled for the good of the populations, and in the interest also of the Ottoman Empire.

In fact, it is only the situation created in Bosnia and Herzegovina by the Treaty of Berlin and maintained in a condition of stability by Austria-Hungary, that has enabled Turkey to concentrate her forces for safeguarding the territorial integrity of the Empire.

Bosnia and Herzegovina have arrived to-day—thanks to the assiduous work of the Austro-Hungarian administration—at a high degree of material and intellectual culture; accordingly the moment appears to have come to crown the work undertaken, by granting to these

provinces the benefits of an autonomous and constitutional system of government, which is ardently desired by the entire population. The Imperial and Royal Government ought, however, in order to realize these generous intentions, to regulate in a precise fashion the situation of these two provinces and to provide an effective guarantee against the dangers which would be able to menace the stability of the system established in 1878. The Cabinet of Vienna accordingly finds itself under the imperious necessity of freeing itself from the reserves contained in the Convention of Constantinople, and of recovering, with regard to Bosnia and Herzegovina, its complete liberty of action.

The Austro-Hungarian Government has taken care to inform the Sultan, through the intermediary of the Imperial and Royal Embassy at Constantinople, of the point of view herein exposed; it has at the same time expressed the hope that the relations of the two countries, freed from the uncertainty of the situation in Bosnia-Herzegovina and in the Sanjak, will only gain by the presence of the well-defined and normal state of things which we wish to establish.

(5) NOTE OF TURKEY IN REPLY TO THE AUSTRO-HUNGARIAN NOTE RELATIVE TO THE ANNEXATION OF BOSNIA AND HERZEGOVINA. COMMUNICATED TO THE POWERS SIGNATORY OF THE TREATY OF BERLIN, JULY 13, 1878, ON OCTOBER 9, 1908.

In French. (*Revue Générale de Droit International Public*, xv. 37–8.)

THE Ottoman Government having examined, with all the attention that it merits, the considerations exposed in this Note, is bound to declare that it is unable to

participate in the point of view of the Imperial and Royal Government.

In effect, the administration of Bosnia-Herzegovina, in its actual form, is based on Article XXV of the Treaty of Berlin as well as on the Convention of Constantinople of 1879, which is the development of it.

The diplomatic acts defined explicitly the character of the Austro-Hungarian occupation and administration of the aforesaid provinces, and the maintenance of the Ottoman sovereignty.

Any derogation from these acts cannot be brought about without the unanimous agreement of Turkey, the sovereign of these countries, and of the other High Contracting Powers.

Accordingly the Ottoman Government finds itself under the necessity of reserving all the rights which result in its favour from the international treaties, and of protesting against the violation of these acts by the Imperial and Royal Government.

(6) Documents relating to Egypt

A. Self-denying Protocol signed by the Representatives of Great Britain, Austria-Hungary, France, Germany, Italy, and Russia. (Therapia) June 25, 1882.

(Hertslet, iv, No. 593.)

The Governments represented by the Undersigned engage themselves, in any arrangement which may be made in consequence of their concerted action for the regulation of the affairs of Egypt, not to seek any territorial advantage, nor any concession of any exclusive privilege, nor any commercial advantage for their subjects other than those which any other nation can equally obtain.

B. Convention between Great Britain and Turkey. (Constantinople) October 24, 1885.

In French. (Hertslet, iv, Appendix, p. 3274.)

ARTICLE I. Her Britannic Majesty and His Imperial Majesty the Sultan will respectively send a High Commissioner to Egypt.

ARTICLE II. The Ottoman High Commissioner will consult with His Highness the Khedive, or with the functionary who shall be designated for that purpose by His Highness, upon the best means for tranquillizing the Soudan by pacific measures.

The Ottoman High Commissioner and His Highness the Khedive will keep the English High Commissioner currently informed of the negotiations, and as the measures to be decided upon form part of the general settlement of Egyptian affairs, they shall be adopted and placed in execution in agreement with the English High Commissioner.

ARTICLE III. The two High Commissioners will reorganize, in concert with His Highness the Khedive, the Egyptian army.

ARTICLE IV. The two High Commissioners, in concert with His Highness the Khedive, will examine all the branches of the Egyptian Administration, and may introduce into them the modifications which they may consider necessary, within the limits of the Imperial Firmans.

ARTICLE V. The international engagements contracted by His Highness the Khedive will be approved by the Ottoman Government in so far as they shall not be contrary to the privileges granted by the Imperial Firmans.

ARTICLE VI. So soon as the two High Commissioners shall have established that the security of the frontiers

and the good working and stability of the Egyptian Government are assured, they shall present a Report to their respective Governments, who will consult as to the conclusion of a Convention regulating the withdrawal of the British troops from Egypt in a convenient period.

C. Convention between Great Britain, Germany, Austria-Hungary, France, Spain, Italy, the Netherlands, Russia, Turkey. (Constantinople) October 29, 1888.

In French. (*Parliamentary Papers*, 1889, ii. 797.)

ARTICLE I. The Suez Maritime Canal shall always be free and open, in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag.

Consequently, the High Contracting Parties agree not in any way to interfere with the free use of the Canal, in time of war as in time of peace.

ARTICLE II. The High Contracting Parties, recognizing that the Fresh-Water Canal is indispensable to the Maritime Canal, take note of the engagements of His Highness the Khedive towards the Universal Suez Canal Company as regards the Fresh-Water Canal; which engagements are stipulated in a Convention bearing date the 18th March, 1863, containing an *exposé* and four articles.

They undertake not to interfere in any way with the security of that Canal and its branches, the working of which shall not be exposed to any attempt at obstruction.

ARTICLE III. The High Contracting Parties likewise undertake to respect the plant, establishments, buildings, and works of the Maritime Canal and of the Fresh-Water Canal.

ARTICLE IV. The Maritime Canal remaining open in time of war as a free passage, even to ships of war of

belligerents according to the terms of Article I of the present Treaty, the High Contracting Parties agree that no right of war, no act of hostility, nor any act having for its object to obstruct the free navigation of the Canal, shall be committed in the Canal and its ports of access, as well as within a radius of three marine miles from those ports, even though the Ottoman Empire shall be one of the belligerent Powers.

Vessels of war of belligerents shall not revictual or take in stores in the Canal or its ports of access, except in so far as may be strictly necessary. The transit of the aforesaid vessels through the Canal shall be effected with the least possible delay, in accordance with the Regulations in force, and without any other intermission than that resulting from the necessities of the service.

Their stay at Port Said and in the roadstead of Suez shall not exceed twenty-four hours, except in case of distress. In such case they shall be bound to leave as soon as possible. An interval of twenty-four hours shall always elapse between the sailing of a belligerent ship from one of the ports of access and the departure of a ship belonging to the hostile Power.

ARTICLE V. In time of war belligerent Powers shall not disembark nor embark within the Canal and its ports of access, either troops, munitions, or materials of war. But in case of an accidental hindrance in the Canal, men may be embarked or disembarked at the ports of access by detachments not exceeding 1,000 men, with a corresponding amount of war material.

ARTICLE VI. Prizes shall be subjected, in all respects, to the same rules as the vessels of war of belligerents.

ARTICLE VII. The Powers shall not keep any vessel of war in the waters of the Canal (including Lake Timsah and the Bitter Lakes).

Nevertheless they may station vessels of war in the ports of access of Port Said and Suez, the number of which shall not exceed two for each Power.

This right shall not be exercised by belligerents.

ARTICLE VIII. The Agents in Egypt of the Signatory Powers of the present Treaty shall be charged to watch over its execution. In case of any event threatening the security or the free passage of the Canal, they shall meet on the summons of three of their number under the presidency of their doyen, in order to proceed to the necessary verifications. They shall inform the Khedivial Government of the danger which they may have perceived, in order that that Government may take proper steps to ensure the protection and free use of the Canal. Under any circumstances, they shall meet once a year to take note of the due execution of the Treaty.

The last-mentioned meetings shall take place under the presidency of a Special Commissioner nominated for that purpose by the Imperial Ottoman Government. A Commissioner of the Khedive may also take part in the meeting, and may preside over it in case of the absence of the Ottoman Commissioner.

They shall especially demand the suppression of any work or the dispersion of any assemblage on either bank of the Canal, the object or effect of which might be to interfere with the liberty and the entire security of the navigation.

ARTICLE IX. The Egyptian Government shall, within the limits of its powers resulting from the Firmans, and under the conditions provided for in the present Treaty, take the necessary measures for ensuring the execution of the said Treaty.

In case the Egyptian Government shall not have sufficient means at its disposal, it shall call upon the

Imperial Ottoman Government, which shall take the necessary measures to respond to such appeal; shall give notice thereof to the Signatory Powers of the Declaration of London of the 17th March, 1885; and shall, if necessary, concert with them on the subject.

The provisions of Articles IV, V, and VII shall not interfere with the measures which shall be taken in virtue of the present Article.

ARTICLE X. Similarly, the provisions of Articles IV, V, VII, and VIII shall not interfere with the measures which His Majesty the Sultan and His Highness the Khedive, in the name of His Imperial Majesty, and within the limits of the *firmans* granted, might find it necessary to take for securing by their own forces the defence of Egypt and the maintenance of public order.

In case His Imperial Majesty the Sultan, or His Highness the Khedive, should find it necessary to avail themselves of the exceptions for which this Article provides, the Signatory Powers of the Declaration of London shall be notified thereof by the Imperial Ottoman Government.

It is likewise understood that the provisions of the four Articles aforesaid shall in no case occasion any obstacle to the measures which the Imperial Ottoman Government may think it necessary to take in order to ensure by its own forces the defence of its other possessions situated on the eastern coast of the Red Sea.

ARTICLE XI. The measures which shall be taken in the cases provided for by Articles IX and X of the present Treaty shall not interfere with the free use of the Canal. In the same cases, the erection of permanent fortifications contrary to the provisions of Article VIII is prohibited.

ARTICLE XII. The High Contracting Parties, by application [illegible] principle of equality as regards the free use of the Canal, a principle which forms one of the bases of the present Treaty, agree that none of them shall endeavour to obtain with respect to the Canal territorial or commercial advantages or privileges in any international arrangements which may be concluded. Moreover the rights of Turkey as the territorial Power are reserved.

ARTICLE XIII. With the exception of the obligations expressly provided by the clauses of the present Treaty, the sovereign rights of His Imperial Majesty the Sultan, and the rights and immunities of His Highness the Khedive, resulting from the *firmans*, are in no way affected.

ARTICLE XIV. The High Contracting Parties agree that the engagements resulting from the present Treaty shall not be limited by the duration of the Acts of Concession of the Universal Suez Canal Company.

HAY-PAUNCEFOTE TREATY

CONVENTION BETWEEN GREAT BRITAIN AND THE UNITED STATES SUPPLEMENTARY TO THE CONVENTION OF APRIL 19, 1850, RELATIVE TO THE ESTABLISHMENT OF A COMMUNICATION BY SHIP-CANAL BETWEEN THE ATLANTIC AND PACIFIC OCEANS. (Washington) February 5, 1900.

(*Parliamentary Papers*, 1900—C. 30.)

ARTICLE I. It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or Corporations or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present Convention, said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

ARTICLE II. The High Contracting Parties, desiring to preserve and maintain the 'general principle' of neutralization established in Article VIII of the Clayton-Bulwer Treaty, adopt, as the basis of such neutralization, the following rules, substantially as embodied in the Convention between Great Britain and certain other Powers, signed at Constantinople, 29th October, 1888, for the free navigation of the Suez Maritime Canal, that is to say:

1. The canal shall be free and open, in time of war as in time of peace, to the vessels of commerce and of war of all nations, on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subjects in respect of the conditions or charges of traffic or otherwise.

2. The canal shall never be blockaded, nor any right of war be exercised, nor any act of hostility be committed within it.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal, except so far as may be strictly necessary; and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of the Article shall apply to waters adjacent to the canal, within three marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works, necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this Convention, and in time of war as in time of peace shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as part of the canal.

7. No fortifications shall be erected commanding the canal or the waters adjacent. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

D. Declaration by Great Britain of a Protectorate over Egypt. December 19, 1914.

(*The Times*, December 19, 1914.)

Letter addressed by the Acting High Commissioner to Prince Hussein.

YOUR HIGHNESS,

I am instructed by His Britannic Majesty's Principal Secretary of State for Foreign Affairs to bring to the notice of Your Highness the circumstances preceding the outbreak of war between His Britannic Majesty and the Sultan of Turkey and the changes which that war entails in the status of Egypt.

In the Ottoman Cabinet there were two parties :— On one side was a moderate party, mindful of the sympathy extended by Great Britain to every effort towards reform in Turkey, who recognized that in the war in which His Majesty was already engaged no Turkish interests were concerned, and welcomed the assurances of His Majesty and his Allies that neither in Egypt nor elsewhere would the war be used as a pretext for any action injurious to Ottoman interests. On the other side, a band of unscrupulous military adventurers looked to find in a war of aggression waged in concert with His Majesty's enemies means of retrieving the disasters, military, financial, and economic, into which they had already plunged their country. Hoping to the last that wiser counsels might prevail, His Majesty and his Allies, in spite of repeated violations of their rights, abstained from retaliatory action until compelled thereto by the crossing of the Egyptian frontier by armed bands, and by the unprovoked attacks on Russian open ports by Turkish naval forces under German officers.

His Majesty's Government are in possession of ample evidence that ever since the outbreak of war with Germany His Highness Abbas Hilmi Pasha, late Khedive of Egypt, has definitely thrown in his lot with His Majesty's enemies.

From the facts above set out it results that the rights over the Egyptian Executive of the Sultan or of the late Khedive are forfeited to His Majesty.

His Majesty's Government have already, through the General Officer Commanding His Majesty's Forces in Egypt, accepted exclusive responsibility for the defence of Egypt during the present war. It remains to lay down the form of the future Government of the country freed, as I have stated, from all rights of suzerainty or other rights heretofore claimed by the Ottoman Government.

Of the rights thus accruing to His Majesty, no less than of those exercised in Egypt during the last thirty years of reform, His Majesty's Government regard themselves as trustees for the inhabitants of Egypt. And His Majesty's Government have decided that Great Britain can best fulfil the responsibilities she has incurred towards Egypt by the formal declaration of a British Protectorate and by the government of the country under such Protectorate by a Prince of the Khedivial Family.

In these circumstances I am instructed by His Majesty's Government to inform Your Highness that by reason of your age and experience you have been chosen as the Prince of the family of Mehemet Ali most worthy to occupy the Khedivial position, with the title and style of the Sultan of Egypt; and in inviting Your Highness to accept the responsibilities of your high office, I am to give you the formal assurance that Great Britain

accepts the fullest responsibility for the defence of the territories under Your Highness against all aggression whencesoever coming. And His Majesty's Government authorize me to declare that, after the establishment of the British Protectorate now announced, all Egyptian subjects, wherever they may be, will be entitled to receive the protection of His Majesty's Government.

With Ottoman suzerainty there will disappear the restrictions heretofore placed by Ottoman *firmans* upon the numbers and organization of Your Highness's Army and upon the grant by Your Highness of honorific distinctions.

As regards foreign relations, His Majesty's Government deem it most consistent with the new responsibilities assumed by Great Britain that the relations between Your Highness's Government and the Representatives of Foreign Powers should be henceforth conducted through His Majesty's Representative in Cairo.

His Majesty's Government have repeatedly placed on record that the system of Treaties known as the Capitulations, by which Your Highness's Government is bound, are no longer in harmony with the development of the country; but I am expressly authorized to state that in the opinion of His Majesty's Government the revision of these Treaties may most conveniently be postponed until the end of the present war.

In the field of internal administration I am to remind Your Highness that, in consonance with the traditions of British policy, it has been the aim of His Majesty's Government, while working through, and in the closest association with, the constituted Egyptian authorities, to secure individual liberty, to promote the spread of education, to further the development of the natural resources of the country, and, in such measure as the

degree of enlightenment of public opinion may permit, to associate the governed in the task of government. Not only is it the intention of His Majesty's Government to remain faithful to such policy, but they are convinced that the clearer definition of Great Britain's position in the country will accelerate progress towards self-government.

The religious convictions of Egyptian subjects will be scrupulously respected, as are those of His Majesty's own subjects, whatever their creed; nor need I affirm to Your Highness that in declaring Egypt free from any duty of obedience to those who have usurped political power at Constantinople His Majesty's Government are animated by no hostility towards the Khalifate. The past history of Egypt shows indeed that the loyalty of Egyptian Mahomedans towards the Khalifate is independent of any political bonds between Egypt and Constantinople.

The strengthening and progress of Mahomedan institutions in Egypt is naturally a matter in which His Majesty's Government take the deepest interest and in which Your Highness will be specially concerned, and, in carrying out such reforms as may be considered necessary, Your Highness may count upon the sympathetic support of His Majesty's Government.

I am to add that His Majesty's Government rely with confidence upon the loyalty, good sense, and self-restraint of Egyptian subjects to facilitate the task of the General Officer Commanding His Majesty's Forces, who is entrusted with the maintenance of internal order, and with the prevention of the rendering of aid to the enemy.

I have, &c.,

(Sd.) MILNE CHEETHAM.

SECTION V

DOCUMENTS RELATING TO TERRITORIAL CESSIONS

1. MESSAGE FROM THE KING OF PRUSSIA TO THE LANDTAG, FOR THEIR SANCTION TO THE ANNEXATION OF HANOVER, HESSE-CASSEL, NASSAU, AND FRANKFORT, TO PRUSSIA. (BERLIN) AUGUST 16, 1866.

(Hertslet, iii, No. 385.)

WE, William, by the Grace of GOD, King of Prussia, &c., hereby declare and make known :

The Governments of the Kingdom of Hanover, of the Electorate of Hesse, and of the Duchy of Nassau, as well as the Free Town of Frankfort, have by their participation in the hostile conduct of the former Diet placed themselves in a state of open War with Prussia. They declined the Neutrality as well as the Alliance repeatedly offered to them by Prussia, even at the last moment, under the promise of a Guarantee of the Integrity of their Territory ; they took an active part in the War of Austria against Prussia, and appealed to the decision of War for themselves and their Countries. This decision, according to GOD's decree, has been against them. Political necessity obliges us not to restore to them the power of government, of which they have been deprived by the victorious advance of our army.

The aforesaid countries could, in case they maintained their Independence, cause, from their geographical position, difficulties and obstructions, by a hostile or even doubtful attitude of their Governments towards

Prussian policy and military action, far surpassing the extent of their actual power and importance. Not from a desire of acquiring Territory, but from a feeling of duty to protect our inherited States from a recurrence of the danger, to give a broader and surer foundation to the national reorganization of Germany, the necessity arises for us to unite for ever with our monarchy the Kingdom of Hanover, the Electorate of Hesse, the Duchy of Nassau, and the Free Town of Frankfort.

We know very well that only a part of the people of those States share with us the conviction of this necessity. We respect and honour the feelings of loyalty and devotion which bind the Inhabitants of those Countries to their Princely Houses and to their Independent Political Institutions, but we trust that the lively share in the progressive development of the National Commonweal, together with an indulgent attention to special legal interests, will facilitate the inevitable transition into the new and more extensive community.

We call on the Houses of the Landtag to give their constitutional sanction to the contemplated Union, and for this purpose send them the accompanying draft of law.

2. TREATY BETWEEN AUSTRIA AND ITALY. (VIENNA) OCTOBER 3, 1866.

(Hertslet, iii, No. 392.)

ARTICLE I. There shall be from the date of the exchange of the Ratifications of the present Treaty, Peace and Friendship between His Majesty the King of Italy and His Majesty the Emperor of Austria, their heirs and successors, their States and their respective subjects in perpetuity.

ARTICLE II. The Italian and Austrian Prisoners of War shall be immediately delivered up on both sides.

ARTICLE III. His Majesty the Emperor of Austria agrees to the Union of the Lombardo-Venetian Kingdom to the Kingdom of Italy.

ARTICLE IV. The Frontier of the Ceded Territory is determined by the actual administrative confines of the Lombardo-Venetian Kingdom.

A Military Commission appointed by the two Contracting Powers shall be entrusted with the execution of the tracing on the spot within the shortest possible delay.

ARTICLE V. The evacuation of the Ceded Territory determined by the preceding Article, shall begin immediately after the signature of Peace, and shall be terminated in the shortest possible delay, in conformity with the arrangements agreed upon between the Special Commissioners appointed to that effect.

(ARTICLES VI–XII. *Arrangements concerning the Debt of ceded territories, maintenance of existing contracts for public works, &c.*)

ARTICLE XIII. The Italian and Austrian Governments, desirous of extending the relations between the two States, engage to facilitate Railway Communications and to favour the establishment of new Lines to unite the Italian and Austrian networks. The Government of His Imperial Royal Apostolic Majesty promises besides to hasten as much as possible the conclusion of the Brenner Line destined to unite the Valley of the Adige with that of the Inn.

ARTICLE XIV. Inhabitants or natives of the Territory ceded by the present Treaty will have, for the space of a year, from the day of the date on which the Ratifications are exchanged, and conditionally on a previous

declaration before the competent authorities, full and entire power to export their Movables, free of duty, and to retire with their families into the States of His Imperial and Royal Apostolic Majesty, in which case their quality of Austrian subjects will be retained by them. They will be at liberty to keep their immovable property situated on the ceded Territory.

The same power is granted reciprocally to natives of the ceded Territory of Lombardy living in the States of His Majesty the Emperor of Austria.

The Lombards who profit by these arrangements cannot be, on account of their choice, disturbed on either side, in their person or their properties situated in the respective States.

The delay of one year is extended to two years, for the subjects, natives of the ceded Territory of Lombardy, who at the time of the exchange of the Ratifications of this Treaty are not within the Territory of the Austrian Monarchy. Their Declaration may be received by the nearest Austrian Mission, or by the superior authority of any province of the Monarchy.

Article XV. The Lombardo-Venetian subjects in the Austrian army will be immediately discharged from military service and sent back to their homes.

It is understood that those amongst them who declare their wish to remain in the service of His Imperial and Royal Apostolic Majesty shall be free to do so, and will not be disturbed on this account, either in person or in property.

The same guarantees are assured to the Civil Employés, natives of the Lombardo-Venetian Kingdom, who manifest their intention of keeping the offices they occupy in the Austrian Service.

Civil Servants born in the Lombardo-Venetian King-

dom shall have the choice, either of remaining in the Austrian Service, or entering the Italian Administration, in which case the Government of His Majesty the King of Italy engages, either to place them in positions analogous to those which they occupied, or allot them Pensions, the amount of which shall be fixed according to the Laws and Regulations in force in Austria. It is understood that the said Civil Servants shall act under the disciplinary Laws and Regulations of the Italian Administration.

ARTICLE XVI. Officers of Italian origin, who are actually in the Austrian Service, shall have the choice, either of remaining in the Service of His Imperial and Royal Apostolic Majesty or of entering the Army of His Majesty the King of Italy, with the Rank they hold in the Austrian Army, provided they make the request within 6 months after the Ratification of the present Treaty.

ARTICLE XVII. The Pensions, both Civil and Military, regularly paid, and which were paid out of the public funds of the Lombardo-Venetian Kingdom, remain due to those entitled to them, and, if need be, to their widows and children, and will be paid in future by the Government of His Italian Majesty.

This stipulation is extended to the Pensioners, both Civil and Military, as well as to their widows and children, without distinction of origin, who keep their domicile in the ceded Territory, and whose salaries, paid up to 1814 by the then Government of the Lombardo-Venetian Provinces, then became payable by the Austrian Treasury.

(ARTICLES XVIII–XXIII. *Arrangements concerning Archives, confirmation of previous conventions, &c.*)

3. TREATY BETWEEN FRANCE AND GERMANY. (FRANKFORT) MAY 10, 1871.

(Hertslet, iii, No. 446.)

ARTICLE I. The distance between the Town of Belfort and the Line of Frontier, such as it had been proposed during the negotiations of Versailles, and such as it is marked on the Map annexed to the Ratifications of the Preliminaries of the 26th February, is considered as describing the Radius which, by virtue of the Clause relating thereto in Article I of the Preliminaries, is to remain to France with the Town and Fortifications of Belfort.

The German Government is disposed to extend that Radius so as to include the Cantons of Belfort, Delle, and Giromagny, as well as the western part of the Canton of Fontaine, to the West of a line to be traced from the spot where the Canal from the Rhone to the Rhine leaves the Canton of Delle to the South of Montreux-Chateau, to the Northern Limits of the Canton between Bourg and Félon where that Line would join the Eastern Limit of the Canton of Giromagny.

The German Government will, nevertheless, not cede the above Territories unless the French Republic agrees, on its part, to a rectification of Frontier along the Western Limits of the Cantons of Cattenom and Thionville which will give to Germany the Territory to the East of a Line starting from the Frontier of Luxemburg between Hussigny and Redingen, leaving to France the Villages of Thil and Villerupt, extending between Erronville and Aumetz, between Beuvillers and Boulange, between Trieux and Lomeringen, and joining the ancient Line of Frontier between Avril and Moyeuvre.

The International Commission, mentioned in Article I of the Preliminaries, shall proceed to the spot immediately after the Ratifications of the present Treaty to execute the Works entrusted to them and to trace the new Frontier, in accordance with the preceding dispositions.

ARTICLE II. French Subjects, Natives of the ceded Territories, actually domiciled on that Territory, who shall desire to preserve their Nationality, shall up to the 1st October, 1872, and on their making a previous Declaration to that effect to the Competent Authority, be allowed to change their domicile into France and to remain there, that right in nowise infringing on the Laws on Military Service, in which case the title of French Citizen shall be maintained.

They shall be at liberty to preserve their Immovables situated in the Territory united to Germany.

No Inhabitant of the ceded Territory shall be prosecuted, annoyed, or sought for, either in his person or his property, on account of his Political or Military Acts previous to the War.

ARTICLE III. The French Government shall deliver over to the German Government the Archives, Documents, and Registers relating to the Civil, Military, and Judicial Administration of the ceded Territories. Should any of the Documents be found missing, they shall be restored by the French Government on the demand of the German Government.

ARTICLE IV. The French Government shall make over to the Government of the Empire of Germany within the term of 6 Months dating from the exchange of the Ratifications of this Treaty: (1) The amount of the sum deposited by the Departments, Communes, and Public Establishments of the ceded Territories. (2) The

amount of the premium of Enlistment and Discharge belonging to Soldiers and Sailors natives of the ceded Territory who shall have chosen the German Nationality. (3) The Amount of Security of responsible Agents of the State. (4) The Amount of Sums deposited for Judicial Consignments on account of measures taken by the Administrative or Judicial Authorities in the ceded Territories.

ARTICLE V. The two Nations shall enjoy equal privileges as far as regards the Navigation of the Moselle, the Canal of the Marne to the Rhine, the Canal of the Rhone to the Rhine, the Canal of the Sarre and the Navigable Waters communicating with those channels of Navigation. The Right of Floatage shall be maintained.

ARTICLE VI. The High Contracting Parties being of opinion that the Diocesan circumscriptions of the Territories ceded to the German Empire must agree with the new Frontier determined upon by Article I above, will consider, without delay, after the Ratification of the present Treaty, upon the measures to be taken in common on the subject.

The Communities belonging either to the Reformed Church or to the Augsburg Confession, established on the Territories ceded by France, shall cease to be under French Ecclesiastical Authority.

The Communities of the Church of the Augsburg Confession established in the French Territories shall cease to be under the Superior Consistories and of the Directors residing at Strasburg.

The Jewish Communities of the Territories situated to the East of the new Frontier shall cease to depend on the Central Jewish Consistory residing at Paris.

ARTICLE VII. The payment of 500,000,000 (½ milliard) shall be made within 30 days after the re-establishment

of the Authority of the French Government in the City of Paris. 1,000,000,000 (1 milliard) shall be paid in the course of the year, and 500,000,000 (½ milliard) on the 1st May, 1872. The last 3,000,000,000 (3 milliards) shall remain payable on the 2nd March, 1874, as stipulated in the Preliminary Treaty. From the 2nd March of the present year the Interest on those 3,000,000,000 francs (3 milliards) shall be paid each year on the 3rd March, at the rate of 5 per cent. per annum.

All sums paid in advance on the last 3,000,000,000 shall cease to bear Interest from the day on which the payment is made.

The payment can only be made in the principal German Commercial Towns, and shall be made in metal, Gold or Silver, in Prussian Bank Notes, in Netherlands Bank Notes, in Notes of the National Bank of Belgium, in first class Negotiable Bills to Order or Letters of Exchange, payable at sight.

The German Government having fixed in France the value of a Prussian Thaler at 3 francs 75 centimes, the French Government accepts the conversion of the Moneys of both Countries at the rate above stated.

The French Government will inform the German Government, 3 months in advance, of all payments which it intends to make into the Treasury of the German Empire.

After the payment of the first 500,000,000 (½ milliard) and the Ratification of the Definitive Treaty of Peace, the Departments of the Somme, Seine-Inférieure, and Eure shall be evacuated in so far as they shall be found to be still occupied by German Troops. The Evacuation of the Departments of the Oise, Seine-et-Oise, Seine-et-Marne, and Seine, as well as the Forts of Paris, shall take place so soon as the German Government shall consider

the re-establishment of Order, both in France and Germany, sufficient to ensure the execution of the Engagements contracted by France.

Under all circumstances, the Evacuation shall take place after the payment of the third 500,000,000 (½ milliard).

The German Troops, for their own security, shall have at their disposal the Neutral Zone between the German line of Demarcation and the Paris enclosure on the Right Bank of the Seine.

The stipulations of the Treaty of 26th February relative to the occupation of French Territories after the payment of the 2,000,000,000 (2 milliards), shall remain in force. None of the deductions which the French Government might have a right to make shall be made on the payment of the first 500,000,000 (½ milliard).

ARTICLE VIII. German Troops shall continue to abstain from levying contributions either in kind or money in the occupied Territories; that obligation on their part being correlative to the obligations contracted for their maintenance by the French Government, in case the French Government, notwithstanding the reiterated demands of the German Government, was behindhand in the execution of the said obligations, the German Troops will have the right to procure what is necessary to their wants by levying Taxes and Contributions in the occupied Departments, and even outside of them, should their resources not be sufficient.

With reference to the Maintenance of the German Troops, the system actually in force shall be continued until the Evacuation of the Paris Forts.

In virtue of the Convention of Ferrières, of 11th March, 1871, the reductions pointed out by that Convention shall be put into force after the Evacuation of the Forts.

As soon as the effective of the German Army shall be reduced below the number of 500,000 men, account shall be taken of the reductions made below that number to establish a proportionate diminution in the price of the Maintenance of the Troops paid by the French Government.

ARTICLE IX. The exceptional Treatment at present granted to the Produce of the Industry of the ceded Territories for Imports into France, shall be continued for 6 months, from the 1st March, under the conditions made with the Commissioners of Alsace.

ARTICLE X. The German Government shall continue to deliver up Prisoners of War, making arrangements with the French Government. The French Government shall send to their homes such of the Prisoners as can be discharged. As for those who shall not have completed their term of service, they shall be sent beyond the Loire. It is understood that the Army of Paris and Versailles, after the re-establishment of the authority of the French Government at Paris, and until the Evacuation of the Forts by German Troops, shall not exceed 80,000 men. Until that evacuation, the French Government shall not concentrate Troops on the Right Bank of the Loire, but it shall provide Garrisons in the Towns within that circuit, according to the necessities for the maintenance of Public Order and Peace.

As the Evacuation shall proceed, the Commanders of Regiments shall agree together as to a Neutral Circuit between the Armies of the two Nations.

20,000 Prisoners shall be sent without delay to Lyons on condition that they are immediately sent to Algiers, after their organization, to be employed in that Colony.

ARTICLE XI. The Treaties of Commerce with the

different States of Germany having been annulled by the War, the French Government and the German Government will adopt as the basis of their Commercial Relations the system of reciprocal Treatment on the footing of the Most favoured Nation.

There are included therein Import and Export Duties, Transit Dues, Customs Formalities, the admission and treatment of both Nations as well as their Agents.

There shall nevertheless be excepted from the above Rule the favours which one of the Contracting Parties has granted or may grant, by Treaties of Commerce, to other States than the following: Great Britain, Belgium, Netherlands, Switzerland, Austria, Russia.

The Treaties of Navigation as well as the Convention relative to the International Service of Railways in its relation with the Customs, and the Convention for the reciprocal Guarantee of property in Literary and Artistic Works, shall be renewed.

The French Government nevertheless reserves to itself the right of levying Tonnage and Shipping Duties (*Droit de Pavillon*) on German Vessels and their Cargoes, under the reservation that those Duties shall not be higher than those imposed on Vessels and Cargoes of the abovementioned Nations.

ARTICLE XII. All expelled Germans shall preserve the full and entire enjoyment of all Property which they may have acquired in France.

Such Germans who had obtained the authority required by French Laws to establish their Domicile in France shall be reinstated in all their Rights, and may consequently again establish their Domicile in French Territory.

The delay stipulated by French Laws to obtain Naturalization shall be considered as not having been

interrupted by the state of War for persons who shall take advantage of the above-mentioned facility of returning to France within 6 months after the exchange of the Ratifications of this Treaty, and the time which has elapsed between their expulsion and their return to the French Territory shall be taken into account, as if they had never ceased to reside in France.

The above conditions shall be applicable in perfect reciprocity to the French Subjects residing, or wishing to reside, in Germany.

ARTICLE XIII. German Vessels condemned by Prize Courts before the 2nd March, 1871, shall be considered as definitively condemned.

Those not condemned at the above-mentioned date shall be restored with the Cargoes in so far as it still exists. If the restoration of the Vessels and Cargo is no more possible, their value, fixed according to the price of the sale, shall be restored to their Owners.

ARTICLE XIV. Each of the two Parties shall continue on his Territory the Works undertaken for the Canalization of the Moselle. The Common Interests of the separate parts of the two Departments of the Meurthe and the Moselle shall be liquidated.

ARTICLE XV. The High Contracting Parties mutually engage to extend to their respective Subjects the measures which they may consider necessary to adopt in favour of those of their Subjects who, in consequence of the events of the War, may have been prevented from arriving in time for the safety or the preservation of their Rights.

ARTICLE XVI. The two Governments, French and German, reciprocally engage to respect and preserve the Tombs of Soldiers buried in their respective Territories.

Additional Article

Article III. The Cession of Territory near Belfort, offered by the German Government in Article I of the present Treaty in exchange for the rectification of the Frontier required to the West of Thionville, shall be increased by the Territories of the following Villages: Rougemont, Leval, Petite-Fontaine, Romagny, Félon, La-Chapelle-sous-Rougemont, Angeot, Vauthier-Mont, Rivière, Grasige, Reppe, Fontaine, Frais, Foussemagne, Cunelières, Montreux-Château, Brelagne, Chavannes-les-Grands, Chavanatte, and Suarce.

The Giromagny and Remiremont Road, thoroughfare to the Ballon d'Alsace, shall remain to France throughout its whole extent, and shall serve as a Limit in so far as it is situated outside the Canton of Giromagny.

4. AGREEMENT BETWEEN GREAT BRITAIN AND GERMANY. (Berlin) July 1, 1890.

(*Parliamentary Papers*, 1890 [C–6046]; Hertslet, iv, Appendix, p. 3286.)

Article XI. Great Britain engages to use all her influence to facilitate a friendly arrangement, by which the Sultan of Zanzibar shall cede absolutely to Germany his possessions on the mainland comprised in existing Concessions to the German East Africa Company, and their dependencies, as well as the Island of Mafia.

It is understood that His Highness will, at the same time, receive an equitable indemnity for the loss of revenue resulting from such cession. Germany engages to recognize a Protectorate of Great Britain over the remaining dominions of the Sultan of Zanzibar, including the Islands of Zanzibar and Pemba, as well as over the

dominions of the Sultan of Witu, and the adjacent territory up to Kismayu, from which her Protectorate is withdrawn. It is understood that if the cession of the German coast has not taken place before the assumption by Great Britain of the Protectorate of Zanzibar, Her Majesty's Government will, in assuming the Protectorate, accept the obligation to use all their influence with the Sultan to induce him to make that cession at the earliest possible period in consideration of an equitable indemnity.

ARTICLE XII. 1. Subject to the assent of the British Parliament, the sovereignty over the Island of Heligoland, together with its dependencies, is ceded by Her Britannic Majesty to His Majesty the Emperor of Germany.

2. The German Government will allow to all persons, natives of the territory thus ceded, the right of opting for British nationality by means of a declaration to be made by themselves, and, in the case of children under age, by their parents or guardians, which must be sent in before the 1st of January, 1892.

3. All persons, natives of the territory thus ceded, and their children born before the date of the signature of the present agreement, are free from the obligation of service in the military and naval forces of Germany.

4. Native laws and customs now existing will, as far as possible, remain undisturbed.

5. The German Government binds itself not to increase the Customs Tariff at present in force in the territory thus ceded until the 1st January, 1910.

6. All rights to property which private persons or existing Corporations have acquired in Heligoland, in connexion with the British Government, are maintained; obligations resulting from them are transferred to His Majesty the Emperor of Germany. It is understood

that the above term, 'rights to property,' includes the right of signalling now enjoyed by Lloyd's.

7. The rights of British fishermen with regard to anchorage in all weathers, to taking in provisions and water, to making repairs, to trans-shipment of goods, to the sale of fish, and to the landing and drying of nets, remain undisturbed.

5. GREAT BRITAIN AND THE BOERS: TERMS OF SURRENDER. (VEREENIGING) MAY 28, 1902.

(*Annual Register*, 1902.)

ARTICLE I. The burgher forces in the field will forthwith lay down their arms, handing over all guns, rifles, and munitions of war in their possession or under their control, and desist from any further resistance to the authority of His Majesty King Edward VII, whom they recognize as their lawful sovereign. The manner and details of this surrender will be arranged between Lord Kitchener and Commandant General Botha, Assistant-Commandant General Delarey, and Chief Commandant De Wet.

ARTICLE II. All burghers in the field outside the limits of the Transvaal or Orange River Colony, and all prisoners of war at present outside South Africa who are burghers, will, on duly declaring their acceptance of the position of subjects of His Majesty King Edward VII, be gradually brought back to their homes as soon as transport can be provided and their means of subsistence ensured.

ARTICLE III. The burghers on surrendering or so returning will not be deprived of their personal liberty or their property.

ARTICLE IV. No proceedings, civil or criminal, will be taken against any of the burghers surrendering or so returning for any acts in connexion with the prosecution of the war. The benefit of this clause will not extend to certain acts contrary to the usages of war, which have been notified by the Commander-in-Chief to the Boer Generals, and which shall be tried by Court-Martial immediately after the close of hostilities.

ARTICLE V. The Dutch language will be taught in public schools in the Transvaal and Orange River Colony when the parents of the children desire it, and will be allowed in Courts of Law when necessary for the better and more effectual administration of justice.

ARTICLE VI. The possession of rifles will be allowed in the Transvaal and Orange River Colony to persons requiring them for their protection, on taking out a licence according to law.

ARTICLE VII. Military administration in the Transvaal and Orange River Colony will, at the earliest possible date, be succeeded by civil government, and as soon as circumstances permit, representative institutions, leading up to self-government, will be introduced.

ARTICLE VIII. The question of granting the franchise to natives will not be decided until after the introduction of self-government.

ARTICLE IX. No special tax will be imposed on landed property in the Transvaal and Orange River Colony to defray the expenses of the war.

ARTICLE X. As soon as conditions permit, a Commission on which the local inhabitants will be represented will be appointed in each district of the Transvaal and Orange River Colony, under the presidency of a magistrate or other official, for the purpose of assisting the restoration of the people to their homes and supplying

those who, owing to war losses, are unable to provide themselves with food, shelter, and the necessary amount of seed, stock, implements, &c., indispensable to the resumption of their normal occupations. His Majesty's Government will place at the disposal of these commissions a sum of £3,000,000 for the above purposes, and will allow all notes issued under Law 1 of 1900 of the South African Republic and all receipts given by officers in the field of the late Republics, or under their orders, to be presented to a Judicial Commission, which will be appointed by the Government, and if such notes and receipts are found by this Commission to have been duly issued in return for valuable considerations, they will be received by the first-named commissions as evidence of war losses suffered by the persons to whom they were originally given. In addition to the above-named free grant of £3,000,000, His Majesty's Government will be prepared to make advances on loan for the same purpose free of interest for two years, and afterwards repayable over a period of years with three per cent. interest. No foreigner or rebel will be entitled to the benefit of this clause.

6. TREATY OF PEACE BETWEEN ITALY AND TURKEY. (LAUSANNE) OCTOBER 18, 1912.

In French. (*Nouveau Recueil*, 3me série, t. vii.)

ARTICLE I. The two Governments pledge themselves to make, immediately after the signature of the present Treaty, the necessary arrangements for the immediate and simultaneous cessation of hostilities. Special commissioners will be sent to the spot to assure the execution of the aforesaid arrangements.

ARTICLE II. The two Governments pledge themselves respectively to give immediately after the signature of the present Treaty orders for the recall of their officers, their troops, as well as of their civil functionaries,—the Ottoman Government from the Tripolitana and Cyrenaica and the Italian Government from the islands which it occupied in the Aegean Sea.

The effective evacuation of the aforesaid islands by the Italian officers, troops, and civil functionaries will take place immediately after the evacuation of the Tripolitana and Cyrenaica by the Ottoman officers, troops, and civil functionaries.

ARTICLE III. The prisoners of war and the hostages will be exchanged with the shortest possible delay.

ARTICLE IV. The two Governments pledge themselves to grant a full and complete amnesty, the Royal Government to the inhabitants of the Tripolitana and Cyrenaica, and the Imperial Government to the inhabitants of the Isles of the Aegean Sea which are subject to the Ottoman suzerainty and have taken part in the hostilities or have compromised themselves in them, with the exception of crimes of common law. In consequence no individual of any class or condition whatsoever will be liable to be pursued or molested as regards his person or his property or the exercise of his rights by reason of his military or political acts or of the opinions he expressed during the hostilities. Persons detained or deported on this account will be immediately set at liberty.

ARTICLE V. All the treaties, conventions, and engagements of every sort, kind and nature, concluded and in force between the two High Contracting Parties before the declaration of war will be immediately set in force, and the two Governments will be placed, the one as

regards the other, as well as their respective subjects, in the identical situation in which they were before the hostilities.

ARTICLE VI. Italy pledges herself to conclude with Turkey, at the same time as she renews her treaties of commerce with the other Powers, a treaty of commerce on the basis of public European law, that is to say, she consents to leave to Turkey all her economic independence and the right of acting in matters of commerce and customs like all the European Powers and without being bound by the Capitulations and other acts from this day. It is thoroughly understood that the said treaty of commerce will be put in force only in so far as the treaties of commerce concluded by the Sublime Porte with the other Powers on the same basis are put in force. (*Here follow Conventions concerning Customs.*)

ARTICLE VII. The Italian Government pledges itself to suppress the Italian post offices in use in the Ottoman Empire at the same time as the other states having post offices in Turkey suppress theirs.

ARTICLE VIII. The Sublime Porte proposing to open, in a European conference or otherwise with the Great Powers interested, negotiations with a view to stopping the capitulary system in Turkey and replacing it by the system of international law, Italy, recognizing the reasonableness of these intentions of the Sublime Porte, declares herself from henceforth willing to lend her full and sincere support to this end.

ARTICLE IX. The Ottoman Government wishing to mark her satisfaction for the good and loyal services which have been rendered her by the Italian subjects employed in administration whom she was forced to dismiss from the outbreak of hostilities, declares itself ready to re-establish them in the situation they quitted.

Compensation will be paid them for the months passed out of employment, and this interruption of service will be without prejudice to those of the employés who will have a right to a retiring pension. Further, the Ottoman Government pledges itself to use its good offices in approaching the institutions with which it is in touch (Public Debt, Railway Companies, Banks, &c.) in order that there may be the same treatment for Italian subjects who were in their service and were in analogous positions.

ARTICLE X. The Italian Government pledges itself to pay over annually to the treasury of the Ottoman Public Debt to the account of the Imperial Government a sum corresponding to the average of the sums which in each of the three years preceding the declaration of war have been allocated for the use of the Public Debt from the receipts of the two provinces.

The amount of the above-mentioned annuity will be determined by agreement by two commissioners named, one by the Royal Government, the other by the Imperial Government. In case of disagreement the decision will be referred to a board of arbitration composed of the above-mentioned commissioners and a chief arbitrator named by agreement between the two Parties. If agreement cannot be secured in this way, each Party will appoint a different Power and the choice of the chief arbitrator will be made by agreement by the Powers thus designated.

The Royal Government, as well as the Administration of the Ottoman Public Debt, by the intermediary of the Imperial Government will have the right of demanding the substitution for the above-mentioned annuity of the payment of the corresponding sum capitalized at the rate of 4 per cent.

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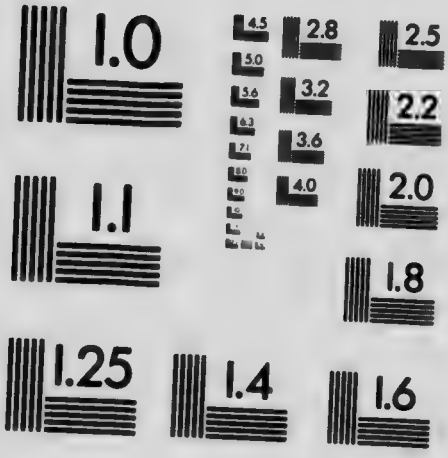

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7. TREATY OF PEACE BETWEEN GREECE, BULGARIA, MONTENEGRO, SERBIA ON THE ONE PART AND TURKEY ON THE OTHER PART. (LONDON) MAY 17/30, 1913.

In French. (*Nouveau Recueil*, 3me série, t. viii.)

ARTICLE I. There will be from the date of the exchange of the ratifications of the present treaty, peace and friendship between His Majesty the Emperor of the Ottomans on the one part, and their Majesties the Allied Sovereigns on the other part, as well as between their heirs and successors, their States and respective subjects in perpetuity.

ARTICLE II. His Majesty the Emperor of the Ottomans cedes to their Majesties the Allied Sovereigns all the territories of his Empire on the continent of Europe to the west of a line drawn from Enos on the Aegean Sea to Midia on the Black Sea with the exception of Albania. The exact line of the frontier from Enos to Midia will be determined by an international commission.

ARTICLE III. His Majesty the Emperor of the Ottomans and their Majesties the Allied Sovereigns declare that they remit to His Majesty the Emperor of Germany, His Majesty the Emperor of Austria, the President of the French Republic, His Majesty the King of Great Britain and Ireland, and His Majesty the Emperor of All the Russias the care of settling the delimitation of the frontiers of Albania and all other questions concerning Albania.

ARTICLE IV. His Majesty the Emperor of the Ottomans declares that he cedes to their Majesties the Allied Sovereigns the Isle of Crete, and that he renounces

in their favour all the rights of sovereignty and other rights which he possessed on that Isle.

ARTICLE V. His Majesty the Emperor of the Ottomans and their Majesties the Allied Sovereigns declare that they confide to His Majesty the Emperor of Germany, His Majesty the Emperor of Austria, the President of the French Republic, His Majesty the King of Great Britain and Ireland, His Majesty the King of Italy, and His Majesty the Emperor of All the Russias the task of deciding the destiny of all the Ottoman isles of the Aegean Sea excepting Crete, and of the Peninsula of Mount Athos.

ARTICLE VI. His Majesty the Emperor of the Ottomans and their Majesties the Allied Sovereigns declare that they remit the task of regulating questions of a financial kind resulting from the state of war just finished and from the territorial cession above mentioned, to the International Commission convened at Paris, to which they have deputed their representatives.

8. TREATY OF PEACE BETWEEN ROUMANIA, GREECE, MONTENEGRO, SERBIA, AND BULGARIA. (BUCHAREST) JULY 28/AUGUST 10, 1913.

In French. (*Nouveau Recueil*, 3me série, t. viii.)

ARTICLE I. There will be from the date of the day of the exchange of the ratifications of the present treaty, peace and friendship between His Majesty the King of Roumania, His Majesty the King of the Hellenes, His Majesty the King of Montenegro, His Majesty the King of Serbia, His Majesty the King of the Bulgarians, as well as between their heirs and successors, their States and respective subjects.

ARTICLE II. Between the Kingdom of Bulgaria and the Kingdom of Roumania, the old frontier between the Danube and the Black Sea is, conformably with the procès-verbal drawn up by the respective military delegates and annexed to the Protocol No. 5 of the 22nd of July (August 4th), 1913, of the Conference of Bucharest, rectified in the following manner:

The new frontier will start from the Danube above Turtukaïa and terminate at the Black Sea to the South of Ekrene.

Between these two extreme points the line of the frontier will follow the line indicated on the maps 1/100.000 and 1/200.000 of the Roumanian General Staff, and according to the description annexed to the present article.

It is formally understood that Bulgaria will dismantle within two years at latest the existing fortifications, and will construct no others at Roustchouk, at Schoumla, in the country between, and in a zone of twenty kilometres round Baltchik.

(*Here follows Commission for delimitation.*)

ARTICLE III. Between the Kingdom of Bulgaria and the Kingdom of Serbia, the frontier will follow conformably with the procès-verbal drawn up by the respective military delegates and annexed to the Protocol No. 9 of the 25th of July (August 7th), 1913, of the Conference of Bucharest, the following line:

The frontier line will start from the old frontier from the summit of Patarica, will follow the old Turco-Bulgarian frontier and the line of the watershed between the Vardar and the Strouma, with the exception of the upper valley of the Stroumitza, which will remain on Serbian territory; it will terminate at the Belašiča Mountain, where it will bend back to the Graeco-

Bulgarian frontier. A detailed description of this frontier and its indication on the map 1/200.000 of the Austrian General Staff are annexed to the present article.

(*Here follows Commission for delimitation.*)

ARTICLE IV. The questions relative to the old Serbo-Bulgarian frontier will be regulated according to the understanding agreed upon by the two High Contracting Parties stated in the Protocol annexed to the present article.

ARTICLE V. Between the Kingdom of Greece and the Kingdom of Bulgaria the frontier will follow conformably with the procès-verbal drawn up by the respective military Delegates and annexed to the Protocol No. 9 of the 25th of July (August 7th), 1913, of the Conference of Bucharest, the following line :

The frontier line shall start from the new Serbo-Bulgarian frontier on the summit of Belašiča planina, to terminate at the mouth of the Mesta on the Aegean Sea.

(*Here follows Delimitation.*)

It is formally understood that Bulgaria desists from henceforth, from every pretension to the Isle of Crete.

CHRONOLOGICAL INDEX

	DATE	PAGE
Treaty of Alliance between Great Britain and Portugal (Whitehall)	June 23, 1661	34
Treaty between Great Britain, Austria, France, Portugal, Prussia, Russia, Spain, and Sweden (Vienna)	June 9, 1815	54
Act signed by Austria, France, Great Britain, Prussia, Russia, respecting Neutrality of Switzerland (Paris)	Nov. 20, 1815	48
Treaty between Great Britain, Austria, France, Prussia, and Russia, and the Netherlands respecting Belgium (London)	April 19, 1839	37
Convention between Austria, Prussia, and Russia (Cracow)	Nov. 6, 1846	56
British Protest against Annexation of Cracow to Austria	Nov. 23, 1846	60
Treaty between Great Britain, Austria, France, Prussia, Russia, Sweden, and Norway on the one part, and Denmark on the other, respecting the Crown of Denmark (London)	May 8, 1852	66
Note of Earl Russell respecting the Treaty of London of 1852	Dec. 17, 1863	68
Note of Bismarck respecting Denmark	Feb. 4, 1864	70
Treaty between Austria, Prussia, and Denmark (Vienna)	Oct. 30, 1864	70
Convention between Austria and Prussia (Gastein)	Aug. 14, 1865	71
British Circular respecting Danish Duchies	Sept. 14, 1865	74
Message from King of Prussia respecting the Annexation of Hanover, Hesse-Cassel, Nassau, and Frankfort to Prussia (Berlin)	Aug. 16, 1866	99
Treaty between Austria and Prussia (Prague)	Aug. 23, 1866	76
Treaty between Austria and Italy (Vienna)	Oct. 3, 1866	100
Treaty between Great Britain, Austria, Belgium, France, Italy, the Netherlands, Prussia, and Russia, respecting Luxemburg and Limburg (London)	May 11, 1867	41
Treaty between Great Britain and Prussia respecting Belgium (London)	Aug. 9, 1870	39
Correspondence between Prussia and Great Britain relating to the Neutrality of Luxemburg	Dec. 1870–Feb. 1871	44, 47

	DATE	PAGE
Military Convention between France and Switzerland (Verrières) . . .	Feb. 1, 1871	50
Treaty between Great Britain, Austria, France, Germany, Italy, Russia, and Turkey, respecting the Dardanelles and Black Sea (London)	March 13, 1871	78
Treaty between France and Germany (Frankfort)	May 10, 1871	104
Convention between Great Britain and Turkey respecting Cyprus (Constantinople)	June 4, 1878	78
Treaty between Great Britain, Austria-Hungary, France, Germany, Italy, Russia, and Turkey (Berlin)	July 13, 1878	79
Treaty of Alliance between Germany and Austria (Vienna)	Oct. 7, 1879	20
Protocol of Great Britain, Austria-Hungary, France, Germany, Italy, and Russia, regarding Egypt (Therapia) . . .	June 25, 1882	87
Convention between Great Britain and Turkey respecting Egypt (Constantinople)	Oct. 24, 1885	88
Convention between Great Britain, Germany, Austria-Hungary, France, Spain, Italy, the Netherlands, Russia, and Turkey, respecting Egypt (Constantinople) . .	Oct. 29, 1888	89
Agreement between Great Britain and Germany respecting Heligoland, &c. (Berlin)	July 1, 1890	112
Agreement between Great Britain and Russia respecting China (St. Petersburg)	April 16/28, 1899	8
Hay-Pauncefote Treaty respecting the Panama Canal (Washington) . .	Feb. 5, 1900	93
Surrender of Boers to Great Britain (Vereeniging)	May 28, 1902	114
Agreement between Great Britain and France respecting Newfoundland and Senegambia (London)	April 8, 1904	5
Agreement between Great Britain and France respecting Egypt and Morocco (London)	April 8, 1904	1
Alliance between Great Britain and Japan (London)	Aug. 12, 1905	24
Treaty of Peace between Japan and Russia (Portsmouth)	Aug. 23/Sept. 5, 1905	28
Agreement between Russia and Japan respecting China (St. Petersburg) . .	July 17/30, 1907	32
Agreement between Great Britain and Russia respecting Persia, Afghanistan, and Thibet (St. Petersburg) . . .	Aug. 31, 1907	9

	DATE	PAGE
Armed Co-operation between Great Britain and France	1907–14	15
Declaration by Great Britain, Denmark, France, Germany, the Netherlands, and Sweden, respecting the North Sea (Berlin)	April 23, 1908	52
Agreement between Germany, Denmark, Russia, and Sweden, respecting the Baltic (St. Petersburg)	April 23, 1908	51
Denunciation of Article XXV of Treaty of Berlin by Austria-Hungary (Vienna) .	Oct. 3, 1908	83
Note of Turkey to Austria-Hungary respecting Bosnia and Herzegovina	Oct. 9, 1908	86
Agreement between Russia and Japan respecting the *status quo* in Manchuria (St. Petersburg)	June 21/July 4, 1910	33
Treaty of Peace between Italy and Turkey (Lausanne)	Oct. 18, 1912	116
Treaty of Peace between Greece, Bulgaria, Montenegro, Serbia, and Turkey (London)	May 17/30, 1913	120
Treaty of Peace between Roumania, Greece, Montenegro, Serbia, and Bulgaria (Bucharest)	July 28/Aug. 10, 1913	121
Character of Triple Alliance: Statement by Marquis di S. Giuliano	Aug. 1, 1914	23
Declaration of Russia respecting Poland .	Aug. 15, 1914	65
Rescript by the Emperor of Japan respecting the War	Aug. 22, 1914	26
Agreement between Great Britain, France, and Russia respecting the War . . .	Sept. 5, 1914	19
Declaration by Great Britain of Protectorate over Egypt	Dec. 19, 1914	95

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